

# SAN FRANCISCO PLANNING COMMISSION



## Notice of Hearing & Agenda

Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, May 10, 2018**  
**1:00 p.m.**  
**Regular Meeting**

Commissioners:

Rich Hillis, President

Myrna Melgar, Vice President

Rodney Fong, Milicent Johnson, Joel Koppel,

Kathrin Moore, Dennis Richards

Commission Secretary:

Jonas P. Ionin

**Hearing Materials are available at:**

Website: <http://www.sfplanning.org>

Planning Department, 1650 Mission Street, 4<sup>th</sup> Floor, Suite 400

Voice recorded Agenda only: (415) 558-6422

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Live, Thursdays at 1:00 p.m., Cable Channel 78

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Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-558-6309. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

### **CHINESE:**

規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-558-6309。請在聽證會舉行之前的至少48個小時提出要求。

### **TAGALOG:**

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-558-6309. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

### **RUSSIAN:**

Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-558-6309. Запросы должны делаться минимум за 48 часов до начала слушания.

## ROLL CALL:

President:	Rich Hillis
Vice-President:	Myrna Melgar
Commissioners:	Rodney Fong, Milicent Johnson, Joel Koppel, Kathrin Moore, Dennis Richards

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2009.1011DRP (L. HOAGLAND: (415) 575-6823)  
1863 MISSION STREET – east side of Mission Street between 14<sup>th</sup> and 15<sup>th</sup> Streets; Lot 033 in the Assessor’s Block 3548 (District 9) – Request for **Discretionary Review** of Building Permit Application 2006.03.27.7548 within the NCT (Mission Street Neighborhood Commercial Transit) and 40-X and 65-X Height and Bulk Districts. The proposal includes the construction of a four- to seven-story, 37,441 sq. ft. mixed-use building with 37 dwelling units, approximately 1,425 sq. ft. of ground floor retail use, and 16 off-street parking spaces on a vacant lot. The Project requires a variance for Rear Yard and Commercial Street Frontage (from Planning Code Section 134) from the Zoning Administrator. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
Staff Analysis: Full Discretionary Review  
*Preliminary Recommendation: Do Not Take DR and Approve the Project as Proposed.*  
**(Proposed Continuance to May 17, 2018)**
- 2014-001400ENX (E. SAMONSKY: (415) 575-9112)  
2750 19<sup>TH</sup> STREET – – located at the northeast corner of Bryant and 19<sup>th</sup> Streets, Lot 004A in Assessor’s Block 4023 (District 10) - Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, for the demolition of an existing industrial building, with the exception of the brick facade, and new construction of a six-story, 68-foot tall, mixed-use building (measuring approximately 74,446 square feet) with 60 dwelling units, approximately 7,471 square feet ground floor retail, 24 below-grade off-street parking spaces, one car-share parking space, 84 Class 1 bicycle parking spaces, and 13 Class 2 bicycle parking spaces. The Project includes 4,800 square feet of common open space roof deck. Under the LPA, the project is seeking an exception to certain Planning Code requirements, including: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); 3) street frontage (Planning Code Section 145.1). The project site is located within the UMU (Urban Mixed-Use) and 68-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
(Continued from Regular Meeting on March 15, 2018)  
*Preliminary Recommendation: Approve with Conditions*  
**Note: On November 20, 2017, after hearing and closing public comment, continued to January 25, 2018 by a vote of +5 -1 (Johnson against; Hillis absent). On January 25, 2018, after hearing and closing public comment, continued to March 15, 2018 by a vote of +4 -1 (Melgar against; Fong, Johnson absent). On March 15, 2018, without hearing, continued to May 10, 2018 by a vote of +6 -0 (Melgar absent).**  
**(Proposed Continuance to June 7, 2018)**

3. [2017-010156DES](#) (F. MCMILLEN: (415) 575-9076)  
MINT-MISSION CONSERVATION DISTRICT – (Assessor’s Block 3704, Lots 003, 010, 012, 013, 015, 017, 018, 019, 020, 021, 022, 024, 028, 029, 034, 035, 059, 079, 113, 144; Assessor’s Block 3725, Lots 087, 088) (District 4) – **Review and Comment** on the Designation of the Mint-Mission Conservation District as an Article 11 Conservation District pursuant to Section 1107 of the Planning Code. The district is bound by Stevenson Street to the north, Mint and 5<sup>th</sup> streets to the east, Mission and Minna streets to the south and 6<sup>th</sup> Street to the west. The Mint-Mission Conservation District encompasses a cohesive concentration of reinforced concrete and brick masonry buildings constructed between 1906 and 1930. The District retains a mix of residential hotels, small-scale commercial buildings, warehouses and manufacturing facilities reflective of the area’s role as the center of industrial production in San Francisco and the major supplier of mining equipment, heavy machinery and other goods to the western states. The District is comprised of twenty-two properties, nineteen of which include contributing resources. The Mint Mission Conservation District is located in the C-3-G-Downtown General zoning district and 90-X Height and Bulk district.  
*Preliminary Recommendation: Review and Comment*  
**(Proposed Continuance to June 7, 2018)**
4. 2017-003299DRP-03 (L. HOAGLAND: (415) 575-6823)  
1782 QUESADA AVENUE – northeast side of Quesada Avenue between Newhall and 3<sup>rd</sup> Streets; Lot 027 of Assessor’s Block 5327 (District 10) - Requests for **Discretionary Review** of Building Permit Application 2017.03.08.0963 within a RH-2 (Residential, House – Two Family) and 40-X Height and Bulk District. The proposal includes the construction of a three-story over basement, two-residential dwelling unit building on a vacant lot. The Project includes a 1,358 square foot, 3-bedroom, 2-bath unit and a 1,567 square foot, 3-bedroom, 2-bath unit, a two-car garage and a roof deck. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).  
Staff Analysis: Abbreviated Discretionary Review  
**(Proposed Continuance to June 14, 2018)**
5. 2016-010185CUA (V. FLORES: (415) 575-9173)  
160 CASELLI AVENUE – between Danvers and Clover Streets, Lot 008 in Assessor’s Block 2690 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [317](#) to allow demolition an existing single-family residence and illegal structure at the rear of the property and removal of an unauthorized dwelling unit. The proposal includes new construction of a 3-story 2-unit structure at the front of the property within a RH-2 (Residential, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).  
*Preliminary Recommendation: Disapprove*  
(Continued from Regular hearing on April 12, 2018)  
**Note: On March 29, 2018, after hearing and closing public comment, continued to April 12, 2018 by a vote of +5 -0 (Melgar, Moore absent). On April 12, 2018, without hearing, continued to May 10, 2018 by a vote of +6 -0 (Hillis absent).**  
**(Proposed Continuance to June 21, 2018)**

## B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

6. [2018-000622CUA](#) (M. CHANDLER: (415) 575-9048)  
387 ARGUELLO BOULEVARD – northwest corner of Clement Street and Arguello Boulevard; Lot 017 in Assessor’s Block 1432 (District 1) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 716 to permit change of use from Retail Grocery to Retail Grocery and Restaurant Use at an approximately 658 square foot tenant space within the Inner Clement Street NCD (Neighborhood Commercial District) Zoning District and a 40-X Height and Bulk district. The existing Retail Grocery establishment with ABC license type 21 for off-sale general will be retained, and a Restaurant Use will be added to the existing tenant space. Conditional Use Authorization would permit on-sale beer and wine for operation as a bona fide eating establishment for the newly established Restaurant Use, pending approval of ABC license type 41. This project was reviewed under the Community Business Priority Processing Program (CB3P). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with conditions*

## C. COMMISSION MATTERS

7. Consideration of Adoption:
- [Draft Minutes for April 26, 2018](#)
8. Commission Comments/Questions
- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
  - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

## D. DEPARTMENT MATTERS

9. Director’s Announcements
10. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

## E. GENERAL PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

## F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

11. [2014-002033DNX](#) (D. VU: (415) 575-9120)  
429 BEALE STREET (ALSO 430 MAIN STREET) – midblock between Harrison and Bryant Streets, Lots 305 & 306 in Assessor's Block 3767 (District 6) – Request for **Downtown Project Authorization**, pursuant to Planning Code Section 309.1, with an exception from the dwelling unit exposure requirement of Planning Code Section 140, to demolish an existing 35,625 sq. ft. commercial building, merge both parcels, and construct a new 140,280 sq. ft., nine- to ten-story and 84 ft. tall residential building containing 144 dwelling units, 10,800 sq. ft. of open space, 111 indoor bicycle parking spaces, and a 17,720 sq. ft. underground garage with 72 accessory automobile parking spaces. The subject property is located within a RH-DTR (Rincon Hill – Downtown Residential) Zoning District and 84-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*  
(Continued from Regular hearing on March 29, 2018)  
**Note: On March 29, 2018, after hearing and closing public comment; a motion to Approve with Conditions failed +3 -2 (Koppel, Richards against; Melgar, Moore absent); Continued to May 10, 2018 by a vote of +5 -0 (Melgar, Moore absent).**

12. [2017-014693CUA](#) (S. ADINA: (415) 575-8722)  
2230-2234 POLK STREET – southeast corner of Polk Street and Green Street; lot 015 of Assessor's Block 0549 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 303.1 and 723 to establish a Formula Retail Limited Restaurant (d.b.a. Philz Coffee) within the Polk Street NCD (Neighborhood Commercial) Zoning District and 65-A Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*

## G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed

by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

13. [2017-005392DRP](#) (B. BENDIX: (415) 575-9114)  
3941 SACRAMENTO STREET – south side of Sacramento Street between Cherry Street and Arguello Boulevard; Lot 043 in the Assessor’s Block 1015 (District 1) – Request for **Discretionary Review** of Building Permit Application 2017.05.09.6076 within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk Districts. The proposal includes a two-story vertical addition with roof decks, horizontal additions at the front and rear, a new façade, and the creation of a second dwelling unit. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
Staff Analysis: Abbreviated Discretionary Review  
*Preliminary Recommendation: Do Not Take DR and Approve as Revised*

#### H. 2:30 P.M.

Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

- 14a. [2011.1356E](#) (E. WHITE: (415) 575-6813)  
CENTRAL SOMA PLAN – **Certification of the Final Environmental Impact Report** – The Central South of Market (SoMa) Plan is a comprehensive plan for the area surrounding much of the southern portion of the Central Subway transit line. The Plan includes roughly 230 acres that comprise 17 city blocks, as well as the streets and thoroughfares that connect SoMa to its adjacent neighborhoods: Downtown, Mission Bay, Rincon Hill, and the Mission District. The Central SoMa Plan seeks to encourage and accommodate housing and employment growth by (1) removing land use restrictions to support a greater mix of uses while also emphasizing office uses in portions of the Plan Area; (2) amending height and bulk districts to allow for taller buildings; (3) modifying the system of streets and circulation within and adjacent to the Plan Area to meet the needs and goals of a dense, transit-oriented, mix-use district; and (4) creating new, and improving existing, open spaces.  
**Please Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on February 13, 2017. Public comment will be received when the item is called during the hearing. However, comments submitted may not be included in the Final EIR.**  
*Preliminary Recommendation: Certify the Final EIR*  
(Continued from Regular hearing on April 12, 2018)

- 14b. [2011.1356E](#) (S. WERTHEIM: (415) 558-6612)  
CENTRAL SOMA PLAN – The Planning Commission will consider adoption of **CEQA Findings** for actions in connection with the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street. The CEQA Findings include a statement of overriding considerations;

reasons for rejection of alternatives to the proposed Plan; and a mitigation monitoring program associated with the approval of the Central SoMa Plan. For more information on the Central SoMa Plan, go to <http://centralsoma.sfplanning.org>.

*Preliminary Recommendation: Adopt Findings*

(Continued from Regular hearing on April 12, 2018)

- 14c. [2011.1356M](#) (S. WERTHEIM: (415) 558-6612)  
CENTRAL SOMA PLAN – Pursuant to San Francisco Planning Code 340, the Planning Commission will consider **General Plan Amendments** to add the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street; making conforming amendments to the Commerce and Industry Element, the Housing Element, the Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans; affirming the Planning Department’s determination under the California Environmental Quality Act; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. For more information on the Central SoMa Plan, go to <http://centralsoma.sfplanning.org>.  
*Preliminary Recommendation: Adopt a Resolution Recommending Approval*  
(Continued from Regular hearing on April 12, 2018)
- 14d. [2011.1356T](#) (S. WERTHEIM: (415) 558-6612)  
CENTRAL SOMA PLAN – ADOPTION OF AMENDMENTS TO THE PLANNING CODE AND ADMINISTRATIVE CODE – Pursuant to San Francisco Planning Code 302, the Planning Commission will consider **Planning Code** and **Administrative Code Amendments** to give effect to the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street. The Planning Code amendments include adding Sections 128.1, 132.4, 175.1, 249.78, 263.32, 263.33, 263.34, 413.7, 432, 433, and 848; revising Sections 102, 124, 134, 135, 135.3, 138, 140, 145.1, 145.4, 151.1, 152, 152.1, 153, 155, 163, 169.3, 181, 182, 201, 206.4, 207.5, 208, 211.2, 249.36, 249.40, 249.45, 260, 261.1, 270, 270.2, 303.1, 304, 307, 329, 401, 411A.3, 413.10, 415.3, 415.5, 415.7, 417.5, 419, 419.6, 423.1, 423.2, 423.3, 423.5, 426, 427, 429.2, 603, 608.1, 802.1, 802.4, 803.3, 803.4, 803.5, 803.9, 809, 813, 825, 840, 841, 842, 843, 844, 845, 846, 847, 890.37, 890.116, 890.124; and deleting Sections 263.11, 425, 802.5, 803.8, 815, 816, 817, and 818. The Administrative Code amendments include revising Chapter 35. The Planning Commission will also consider affirming the Planning Department’s determination under the California Environmental Quality Act; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302. For more information on the Central SoMa Plan, go to <http://centralsoma.sfplanning.org>.  
*Preliminary Recommendation: Adopt a Resolution Recommending Approval with Modifications*  
(Continued from Regular hearing on April 12, 2018)



- 14e. [2011.1356T](#) (S. WERTHEIM: (415) 558-6612)  
**CENTRAL SOMA COMMUNITY FACILITIES DISTRICT** – Proposed **Planning Code Amendment** regarding a Community Facilities District in Central SoMa. Consideration of a proposed Ordinance adopting the Community Facilities District for the Central SoMa Plan; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302.  
*Preliminary Recommendation: Recommend Board of Supervisors Consideration*  
(Continued from Regular hearing on April 26, 2018)
- 14f. [2011.1356Z](#) (S. WERTHEIM: (415) 558-6612)  
**CENTRAL SOMA PLAN** – Pursuant to San Francisco Planning Code 302, the Planning Commission will consider **Zoning Map Amendments**, to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street. The Zoning Map is proposed include amendments to Sheets ZN01, ZN08, HT01, HT08, SU01, and SU08 affecting all or part of the following Assessor’s Blocks: 3725, 3732, 3733, 3750-3753, 3762, 3763, 3775-3778, 3785-3788; The Planning Commission will also consider affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. For more information on the Central SoMa Plan, go to <http://centralsoma.sfplanning.org>.  
*Preliminary Recommendation: Adopt a Resolution Recommending Approval*  
(Continued from Regular hearing on April 12, 2018)
- 14g. [2011.1356U](#) (S. WERTHEIM: (415) 558-6612)  
**CENTRAL SOMA PLAN – ADOPTION OF THE IMPLEMENTATION PROGRAM** – The Planning Commission will consider adopting the **Implementation Program** to guide implementation of the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street. The Implementation Program document includes five parts: 1) An “Implementation Matrix” document conveying how each of the Plan’s policies would be implemented, including implementation measures, mechanism, timelines, and lead agencies, 2) A “Public Benefits Program” document containing the Plan’s public benefits package, including a description of the range of infrastructure and services that will serve new growth anticipated under the Plan, a summary of how those benefits will be funded, and a description of how this program will be administered and monitored, 3) A “Guide to Urban Design” document containing design guidance that is specific to Central SoMa in a way that complements and supplements the requirements of the Planning Code and citywide Urban Design Guidelines, 4) A “Key Development Sites Guidelines” document that includes greater direction than available in the Planning Code to the development of the Plan Area’s large, underutilized development opportunity sites, in an effort to maximize public benefits and

design quality, and 5) A “Key Streets Guidelines” document that includes greater policy direction for each of the major streets in the Plan Area.

For more information on the Central SoMa Plan, go to <http://centralsoma.sfplanning.org>.

*Preliminary Recommendation: Adopt a Resolution Recommending Approval*

(Continued from Regular hearing on April 12, 2018)

- 14h. [2018-004477PCA](#) (P. IKEZOE: (415) 575-9137)  
**CENTRAL SOMA HOUSING SUSTAINABILITY DISTRICT – Planning Code and Business and Tax Regulations Code Amendments** to create the Central South of Market Housing Sustainability District, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street, to provide a streamlined and ministerial approval process for certain housing projects meeting specific labor, on-site affordability, and other requirements; establishing a fee for applications for residential development permits within the District; making approval findings under the California Environmental Quality Act; making findings of public convenience, necessity, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
*Preliminary Recommendation: Adopt a Resolution Recommending Approval*  
(Continued from Regular hearing on April 26, 2018)

## ADJOURNMENT

### **Privacy Policy**

Members of the public are not required to provide personal identifying information when they communicate with the Commission or Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

### **Hearing Procedures**

The Planning Commission holds public hearings regularly, on most Thursdays. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: [www.sfplanning.org](http://www.sfplanning.org).

Public Comments: Persons attending a hearing may comment on any scheduled item.

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue(s) by the Director or a member of the staff.
2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
4. **Public testimony from proponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
5. **Public testimony from opponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
6. Director's preliminary recommendation must be prepared in writing.
7. Action by the Commission on the matter before it.
8. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
9. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
10. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
11. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue by the Director or a member of the staff.
2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.
5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

### **Hearing Materials**

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 1650 Mission Street, Suite 400, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary ([commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org)) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

### **Appeals**

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

<b>Case Type</b>	<b>Case Suffix</b>	<b>Appeal Period*</b>	<b>Appeal Body</b>
Office Allocation	OFA (B)	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	CUA (C)	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	DRP/DRM (D)	15 calendar days	Board of Appeals
EIR Certification	ENV (E)	30 calendar days	Board of Supervisors
Coastal Zone Permit	CTZ (P)	15 calendar days	Board of Appeals
Planning Code Amendments by Application	PCA (T)	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	VAR (V)	10 calendar days	Board of Appeals
Large Project Authorization in Eastern Neighborhoods	LPA (X)	15 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts	DNX (X)	15-calendar days	Board of Appeals
Zoning Map Change by Application	MAP (Z)	30 calendar days	Board of Supervisors

*\* Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission hearing). Appeals of Zoning Administrator decisions on Variances must be made within 10 days from the issuance of the decision letter.*

*\*\*An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.*

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

An appeal of the approval (or denial) of a **100% Affordable Housing Bonus Program application** may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Sections 328(g)(5) and 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** issued (or denied) pursuant to a 100% Affordable Housing Bonus Program application by the Planning Commission or the Board of Supervisors may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

### **Challenges**

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

### **CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code**

If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

### **Protest of Fee or Exaction**

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

The Planning Commission's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.

