

# 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, June 21, 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 stream: <http://www.sfgovtv.org>

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

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the 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.

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### **Accessible Meeting Information**

Commission hearings are held in Room 400 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is open to the public Monday through Friday from 8:00 a.m. to 8:00 p.m. and is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances. A wheelchair lift is available at the Polk Street entrance.

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Allergies: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Commission hearings.

### **SPANISH:**

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.

1. 2017-001225DRP-02 (E. SAMONSKY: (415) 575-9112)  
701 HAMPSHIRE STREET – south east corner of the intersection of 19th and Hampshire Streets; Lot 018 in Assessor’s Block 4078 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2017.0124.7741, proposing to convert the ground floor garage space into two accessory dwelling units and construct a vertical addition (fourth floor) of approximately 1,051 square feet (vertical addition would add living space to the existing units #4 and #5 on the third floor), and interior and exterior remodel of the existing six-unit apartment building within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.  
 Staff Analysis: Abbreviated Discretionary Review  
*Preliminary Recommendation: Do Not take Discretionary Review and Approve*  
 (Continued from Regular hearing on April 19, 2018)  
**(Proposed Continuance to August 30, 2018)**
  
- 2a. 2013.1037C (C. MAY: (415) 575-9087)  
650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor’s Block 1202 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 271, 303, 746.10 and 746.11 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use 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*  
 (Continued from Regular Meeting on March 29, 2018)  
**(Proposed Continuance to September 6, 2018)**
  
- 2b. 2013.1037V (C. MAY: (415) 575-9087)  
650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor’s Block 1202 (District 5) - Request for **Rear Yard Modification** pursuant to Planning Code Section 134 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.  
 (Continued from Regular Meeting on March 29, 2018)

**(Proposed Continuance to September 6, 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

3. [2018-003141CUA](#) (D. GANETSOS: (415) 575-9172)  
2421 CLEMENT STREET - south side of Clement Street between 25th and 26th Avenues, Lot 039 in Assessor's Block 1457 (District 1) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 717 to permit change of use from a vacant, first floor storefront to a Limited Restaurant use (an ice cream shop d.b.a. Let's Roll) at an approximately 530 square foot tenant space within the Outer Clement Street NCD (Neighborhood Commercial District) Zoning District and a 40-X Height and Bulk district. Minor tenant improvements, including a business sign and a new window in an existing opening at the front façade, are also proposed. 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*
4. [2017-013454CUA](#) (G. PANTOJA: (415) 575-8747)  
550B CASTRO STREET – between 18<sup>th</sup> and 19<sup>th</sup> Streets, Lot 008 in Assessor's Block 2695 (District 8) - Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 715 for the establishment of a Massage Establishment (d.b.a. Always Tan) at an existing 1,250 square-foot tenant space at the ground floor of an existing two-story commercial building, currently occupied by the listed tenant for personal service use, within the Castro Street Neighborhood Commercial (NCD) 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: Approve with Conditions*

**C. COMMISSION MATTERS**

5. Consideration of Adoption:
  - [Draft Minutes for June 7, 2018](#)
6. 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**

7. Director's Announcements
8. 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.

9. [2018-004194PCA](#) (K. HADDADAN: (415) 575-9068)  
ACCESSORY DWELLING UNIT AMENDMENTS [BOARD FILE NO. 180268] – **Planning Code Amendment** to authorize the Zoning Administrator to waive or modify bicycle parking requirements for an Accessory Dwelling Unit (ADU), allow more than one unauthorized unit constructed without a permit to be legalized, exempt from the permit notification requirement ADUs constructed within the defined existing built envelope, allow conversion of an existing stand-alone garage or storage structure to an ADU and expansion of the existing building envelope to add dormers, eliminate the street tree requirement for an ADU, and allow one ADU to be added to a new residential building of three units or less as a component of the new construction. It would also amend the Building Code to provide for a pre-application plan review for ADUs.  
(Continued from Regular meeting on June 7, 2018)  
*Preliminary Recommendation: Approve with Modification*  
**Note: On June 7, 2018, after hearing and closing public comment; Continued to June 21, 2018 by a vote of +7 -0.**
10. [2018-005553PCA](#) (G. SALCEDO: (415) 575-9139)  
CATERING AS AN ACCESSORY USE IN NEIGHBORHOOD COMMERCIAL DISTRICTS – **Planning Code Amendment**, sponsored by Supervisor Safai, to allow catering as an accessory use to limited restaurants in Neighborhood Commercial Districts under certain conditions; affirming the Planning Department's California Environmental Quality Act Determination; making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code Section 302.  
*Preliminary Recommendation: Approve with Modifications*

- 11a. [2014-002541CWP](#) (M. SNYDER: (415) 575-6891)  
**INDIA BASIN MIXED-USE PROJECT** – 700 Innes Avenue, the area generally bounded by Innes Avenue on the west, the Griffith Street right-of-way on the north, the San Francisco Bay on the east and the Earl Street right-of-way on the south (largely excluding parcels with structures). **Informational Hearing** on The India Basin Mixed-Use Project, which would include the development of roughly 24 undeveloped acres (parcels and designated rights-of-way) that would result in approximately 1,575 residential units, 209,000 gsf of non-residential use, up to 1,800 parking spaces, 1,575 bike parking spaces, 15.5 acres of new and improved publicly accessible open space, new streets and other public realm improvements. The subject site is currently within NC-2 (Neighborhood Commercial, Small-scale) and M-1 (Light Industrial) Use Districts and 40-X Height and Bulk District.  
*Preliminary Recommendation: None – Informational*
- 11b. [2014-002541GPA](#) (M. SNYDER: (415) 575-6891)  
**INDIA BASIN MIXED-USE PROJECT** – 700 Innes Avenue, the area generally bounded by Innes Avenue on the west, the Griffith Street right-of-way on the north, the San Francisco Bay on the east and the Earl Street right-of-way on the south (largely excluding parcels with structures). **Initiation of General Plan Amendments** to amend: (1) the Bayview Hunters Point Area Plan by removing Policy 1.6 and Figure 6, which currently designate the subject site for industrial use and amending Figure 3 “Land Use Map”; (2) the Urban Design Element by amending Map 4, “Urban Design Guidelines for Height of Buildings”; (3) the Commerce And Industry Element by amending Map 1 “Generalized Commercial And Industrial Land Use Plan”; and (4) the Recreation And Open Space Element by amending Policy 2.4. The India Basin Mixed-Use Project would include the development of roughly 24 undeveloped acres (parcels and designated rights-of-way) that would result in approximately 1,575 residential units, 209,000 gsf of non-residential use, up to 1,800 parking spaces, 1,575 bike parking spaces, 15.5 acres of new and improved publicly accessible open space, new streets and other public realm improvements. The subject site is currently within NC-2 (Neighborhood Commercial, Small-scale) and M-1 (Light Industrial) Use Districts and 40-X Height and Bulk District.  
*Preliminary Recommendation: Initiate and schedule a public hearing on or after July 26, 2018*
12. [2018-004612CND](#) (D. WEISSGLASS: (415) 575-9177)  
**228-230 CLAYTON STREET** – east side of Clayton Street between Hayes and Fell Streets; Lot 024 in Assessor’s Block 1210 (District 5) – Request for a **Condominium Conversion Subdivision**, pursuant to Subdivision Code Sections 1332 and 1381, to convert a four-story, five-unit building into residential condominiums. The subject property is located within a RH-3 (Residential – House, Three Family) Zoning District and 40-X Height and Bulk District. The project was determined not to be a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.  
*Preliminary Recommendation: Approve with Conditions*  
(Continued from Regular meeting on June 7, 2018)  
**Note: On May 24, 2018, after being pulled off of Consent, a motion to approve failed +3 -2 (Johnson, Melgar against; Richards absent); Continued to June 7, 2018 by a vote of +5 -1 (Moore against; Richards absent).**  
**On June 7, 2018, without hearing, continued to June 21, 2018 by a vote of +7 -0.**

13. 2014.0231CUA (N. KWIATKOWSKA: (415) 575-9185)  
331 PENNSYLVANIA STREET – east side between 18<sup>th</sup> and 19<sup>th</sup> Streets; Lot 026 of Assessor's Block 4040 (District 10) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 207, 209.1, and 303, to construct up to one dwelling unit per 1,500 square feet of lot area and for a change of use from Institutional (residential care facility) to Residential (seven dwelling units) in the RH-2 Zoning District. The project includes an interior remodel, addition of rear decks, and changes to the exterior. The subject property is located within a RH-2 (Residential, House, 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\(h\)](#).  
(Continued from Regular meeting on June 7, 2018)  
*Preliminary Recommendation: Approve with Conditions*
14. [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: Approve with Conditions*  
(Continued from Regular meeting on May 10, 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).**  
**On May 10, 2018, without hearing, continued to June 21, 2018 by a vote of +6 -0 (Richards absent).**
15. [2017-015611CUA](#) (J. HORN: (415) 575-6925)  
4049 24<sup>TH</sup> STREET – south side of 24th Street between Castro and Noe Streets; Lot 024 in Assessor's Block 6507 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [303.1](#) to establish a Formula Retail use (dba "Healthy Spot") within an vacant 2,496 square foot commercial retail unit (previously occupied by "RadioShack"). The proposal includes non-structural tenant improvements and new exterior finishes. The project is located in the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial District (NCD) 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: Approve with Conditions*
- 16a. [2017-009348CUA](#) (J. HORN: (415) 575-6925)  
143 CORBETT AVENUE – south side of Corbett Avenue between Hattie and Danvers Streets, Lot 005 in Assessor's Block 2627 (District 8) - Request for **Conditional Use Authorization** pursuant Planning Code Sections 249.77 and 303(c), to legalize a horizontal rear addition and to add a spiral staircase and deck infill at the basement level to a proposed two-family residence. The project includes the legalization of previous interior alterations and

expansion, through excavation, and continued alterations of the lower two floors to create a second unit. The project proposes the removal of approximately two feet from the bottom of the bay window at the building's front façade. The project is located in a RH-2 (Residential House, 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: Approve with Conditions*

- 16b. [2017-009348VAR](#) (J. HORN: (415) 575-6925)  
[143 CORBETT AVENUE](#) – south side of Corbett Avenue between Hattie and Danvers Streets, Lot 005 in Assessor's Block 2627 (District 8) - Request for a **Variance** from the Planning Code for rear yard setback requirements, pursuant to Section 134, to legalize a horizontal rear addition and to add a spiral staircase and deck infill at the basement level to a proposed two-family residence. The project is located in a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District.
17. [2017-011414CUA](#) (C. CAMPBELL: (415) 575-8732)  
[232 CLIPPER STREET](#) – north side between Sanchez and Noe Streets; Lot 009 of Assessor's Block 6548 (District 8) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, for a project proposing to demolish an existing one-story single-family residence and construct a new four-story structure with two dwelling units. The project includes excavation associated landscaping. The subject property is located within a RH-2 (Residential-House, 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: Approve with Conditions*
- 18a. [2017-001690ENX](#) (K. DURANDET: (415) 575-6816)  
[345 4<sup>TH</sup> STREET](#) – located on the north side of 4th Street between Harrison and Folsom Streets; Lot 165 in Assessor's Block 3751 (District 9) – Request for **Large Project Authorization** pursuant to Planning Code Section 329, to allow the demolition of a two-story retail building with adjacent parking lot and new construction of a seven-story commercial office building (less than 50,000 sf) with ground floor retail and is seeking an exception to active use requirements, under Section 145.1, along the Tandang Sora Street frontage. The project is located within a MUO (Mixed Use-Office) Zoning District and 85-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*
- 18b. [2017-001690OFA](#) (K. DURANDET: (415) 575-6816)  
[345 4<sup>TH</sup> STREET](#)- located on the north side of 4th Street between Harrison and Folsom Streets; Lot 165 in Assessor's Block 3751 (District 9) – Request for **Office Allocation** pursuant to Planning Code Section 321, the project is seeking an office allocation approval pursuant to Section 321 from the reserve for smaller buildings (less than 50,000 sf) . The project is located within a MUO (Mixed Use-Office) Zoning District and 85-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*



19. [2017-014374CUA](#) (E. JONCKHEER: (415) 575-8728)  
**460 WEST PORTAL AVENUE** – west side of West Portal Avenue between 15th Avenue and Sloat Boulevard; Lot 007 in Assessor’s Block 2484 (District 7) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303, and 317, to allow the conversion of the existing residential building at the 460 West Portal Avenue to a school/educational use, providing administrative office, meeting, and guest faculty housing space to an educational facility d.b.a. Waldorf High School. The subject property is located within a RH-1(D) (Residential, House-District, One-Family, Detached) 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: 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.

20. [2015-008252DRP](#) (E. JONCKHEER: (415) 575-8728)  
**89 ROOSEVELT WAY** – south side of Roosevelt Way at Buena Vista Terrace; Lot 077 in Assessor’s Block 2612 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2016.09.19.8061, proposing the vertical addition of a mezzanine level with roof decks to an existing 3-story building within a RM-1 (Residential-Mixed, Low Density) 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: Do Not Take Discretionary Review and Approve*  
(Continued from Regular hearing on May 3, 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.