

# 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, September 13, 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

**Commission Hearing Broadcasts:**

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**

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### **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. 2017-009224CUA (M. WOODS: (415) 558-6315)  
601 VAN NESS AVENUE – west side of Van Ness Avenue; Lot 027 in Assessor’s Block 0762 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.4 and 303(j) to discontinue a Movie Theatre use (Opera Plaza Cinema) of approximately 6,380 square feet and propose a Retail Sales and Service use within a RC-4 (Residential-Commercial High Density) Zoning District, the Van Ness Avenue Special Use District, and 130-V 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 hearing on June 28, 2018)  
*Preliminary Recommendation: Approve with Conditions*  
**(Proposed Continuance to October 18, 2018)**
  
2. 2018-008652PCAMAP (A. STARR: (415) 558-6362)  
DESIGN PROFESSIONAL SPECIAL USE DISTRICT – **Planning Code and Zoning Map Amendment** introduced by Supervisor Cohen amending the Planning Code to create the Design Professional Special Use District at 2 Henry Adams, Assessor’s Parcel Block No. 3910, Lot No. 001, to allow for Design Professional uses above the second story in a PDR-1-D (Production, Distribution, and Repair) zoning District with a Conditional Use authorization; affirming the Planning Department’s determination under the California Environmental Quality Act; 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 under Planning Code Section 302  
**WITHDRAWN**

## 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. [2016-015675CUA](#) (A. LINDSAY: (415) 575-9178)  
2990 24<sup>TH</sup> STREET – northeast corner of the Harrison Street and 24th Street intersection, Lot 040 of Assessor’s Block 4206 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 763, to install a new rooftop AT&T Mobility

Macro Wireless Telecommunications Facility consisting of (2) new FRP enclosures; (9) new antennas; (24) new RRHs; (1) GPS antenna; ancillary equipment; and (1) equipment room within the existing building as part of the AT&T Mobility Telecommunications Network. The subject property is located within a NCT (24th-Mission Neighborhood Commercial Transit), and 55-X Height and Bulk Districts. 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. [2018-003874CUA](#) (M. CHRISTENSEN: (415) 575-8742)  
[2475-2481 MISSION STREET](#) – east side of Mission Street between 20th and 21st Streets, Lot 021 of Assessor’s Block 3610 (District 9) - Request for a **Conditional Use Authorization** pursuant to Planning Code Section 303 and 754 and the Mission Interim Zoning Controls (adopted by Planning Commission Resolution No. 19548, extended by Planning Commission Resolution No. 19865) and Board of Supervisors File No. 171290, to expand an existing restaurant (dba “Café La Taza”) into an adjoining 1,874 square foot retail space, within a NCT (Mission Street Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage Special Use Subdistrict, and 55-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*

5. [2018-005745CUA](#) (S. ADINA: (415) 575-6428)  
[385 EDDY STREET](#) – south side of Eddy Street between Leavenworth and Jones Streets; lot 018 of Assessor’s Block 0338 (District 6) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 209.3, 303, 317 to convert one SRO and manager’s unit within a 68 residential-hotel building into an accessory Institutional Use – Social Service Facility, providing on-site resident services for building tenants within a RC-4 (Residential-Commercial, High Density) Zoning District and 80-T 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*

6. [2018-004720CUA](#) (M. CHANDLER: (415) 575-9048)  
[276 5<sup>TH</sup> STREET](#) – north side between Clementia and Folsom Streets; Lot 271 in Assessor’s Block 3732 (District 6) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.40A and 303, to permit change of use from Limited Restaurant to Restaurant Use (d.b.a Mr. East Kitchen) within a MUR (Mixed Use Residential) Zoning District, SoMa Youth and Family Special Use District, Eastern Neighborhoods subarea plans East SoMa and Central SoMa and 85-X Height and Bulk District. 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*

7. [2018-003878CUA](#) (S. YOUNG: (415) 558-6346)  
[3407 CALIFORNIA STREET](#) – south side between Laurel and Locust Streets, Lot 001 in Assessor’s Block 1034 (District 2) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 703.4, and 713 to establish a Formula Retail Use within

a NC-S (Neighborhood Commercial Shopping Center) District and 40-X Height and Bulk District. The proposal is to convert a vacant ground floor commercial space with approximately 2,600 square feet of floor area (previously occupied by “Gymboree”, a Formula Retail Use) to another Formula Retail Use (d.b.a. Sephora Studio, retail store specializing in cosmetic sales with personal services) within the Laurel Village Shopping Center. 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*

8. [2018-007741CUA](#) (J. HORN: (415) 575-6925)  
[3133 TARAVAL STREET](#) – south side of Taraval Street between 41st and 42nd Avenues, Lot 027 of Assessor’s Block 2384 (District 4) - Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 209.2, 303, and 317 to convert a vacant 1,740 square-foot two-story single-family dwelling to a Community Center for seniors (dba Self-Help for the Elderly). The project also proposes a 1,500 square-foot two-story rear addition, for a total building size of 3,240 gross square feet. The subject property is located 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: Approve with Conditions*
9. [2016-009062DRP](#) (N. TRAN: (415) 575-9174)  
[505 GRAND VIEW AVENUE](#) – corner of Grand View Avenue and Elizabeth Street, Lot 044 in Assessor’s Block 2828 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2016.11.23.3441, proposing to construct three new accessory dwelling units at the ground and basement levels 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\(h\)](#).  
 Staff Analysis: Full Review  
 (Continued from Regular hearing on August 30, 2018)  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

## C. COMMISSION MATTERS

10. Consideration of Adoption:
- [Draft Minutes for August 30, 2018](#)
11. 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**

12. Director's Announcements
13. 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.

14. [2013.1535ENV](#) (C. FORDHAM: (415) 575-9071)  
450-474 O'FARRELL STREET/532 JONES STREET – on a block bounded by Geary Street to the north, O'Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor's block/lot 0317/007, 0317/009, and 0317/011) (District 6) – **Certification of the Final Environmental Impact Report**. The project site is currently developed with the three-story (50-foot-tall), 26,904-square-foot Fifth Church of Christ, Scientist building, including a 1,400-square-foot parking lot with four parking spaces, at 450 O'Farrell Street; a one-story (30-foot-tall), 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story (30-foot-tall), 1,012-square-foot restaurant and residential building with basement at 532 Jones Street. The proposed project would demolish the existing structures, merge the three lots, and construct a 13-story, 130-foot-tall, 226,514-sf mixed-use building. The church façade at 450 O'Farrell Street would be retained as part of the proposed project. The proposed development would include up to 182,668 sf of residential space (with 176 dwelling units), 3,827 sf of restaurant and retail space, and 9,555 sf of religious institution space. Up to 46 parking spaces would be provided within a 22,105-sf, one-level subterranean parking garage with access off of Shannon Street. The project site is located in a Residential-Commercial, High Density (RC-4) District, the North of Market Residential Special Use District No. 1, 80-T-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District.

**NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 11, 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.**

(Continued from Regular hearing on June 28, 2018)

*Preliminary Recommendation: Certify the Final EIR*

**NOTE: On June 28, 2018, after hearing and closing public comment the matter was Continued to September 13, 2018 by a vote of +6 -0 (Fong absent).**

- 15a. [2013.1535ENV](#) (M. BOUDREAUX: (415) 575-9140)  
450-474 O'FARRELL STREET/532 JONES STREET – on a block bounded by bounded by Geary Street to the north, O'Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor's block/lot 0317/007, 0317/009, and 0317/011) (District 6) – The proposal requests Planning Commission consideration of adoption of **CEQA Findings** under the California Environmental Quality Act for a Project that would demolish the existing structures, merge the three lots, and construct a 13-story, 130-foot-tall, 226,514-sf mixed-use building. The church façade at 450 O'Farrell Street would be retained as part of the proposed project. The proposed development would include up to 182,668 sf of residential space (with 176 dwelling units), 3,827 sf of restaurant and retail space, and 9,555 sf of religious institution space. Up to 46 parking spaces would be provided within a 22,105-sf, one-level subterranean parking garage with access off of Shannon Street. The project site is located in a Residential-Commercial, High Density (RC-4) District, North of Market Residential Special Use District No. 1, 80-T-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic 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 hearing on June 28, 2018)

*Preliminary Recommendation: Adopt CEQA Findings*

**NOTE: On June 28, 2018, after hearing and closing public comment the matter was Continued to September 13, 2018 by a vote of +6 -0 (Fong absent).**

- 15b. [2013.1535CUA](#) (M. BOUDREAUX: (415) 575-9140)  
450-474 O'FARRELL STREET/532 JONES STREET – on the block is bounded by Geary Street to the north, O'Farrell Street to the south, Taylor Street to the east, and Jones Street to the west (Assessor's block/lot 0317/007, 0317/009, and 0317/011) (District 6) - Request for **Conditional Use Authorization** pursuant to Planning Code Section 303 for: i) Planned Unit Development pursuant to Section 304, with modifications for rear yard (Section 134), dwelling unit exposure (Section 140); off-street loading (Section 152) and permitted obstructions (Section 136); and additional findings for ii) for demolition of five existing dwelling units (Section 317); iii) exceeding height of 50 feet with street frontage greater than 50 feet (Section 253); iv) height greater than 80 feet in North of Market Residential Special Use District No. 1 (Section 249.5/263.7); v) bulk exceedance (Section 270/271); vi) establishment of new religious institution use (Section 303). The project site is currently developed with the three-story (50-foot-tall), 26,904-square-foot Fifth Church of Christ, Scientist building, including a 1,400-square-foot parking lot with four parking spaces, at 450 O'Farrell Street; a one-story (30-foot-tall), 4,415-square-foot vacant retail building at 474 O'Farrell Street; and a one-story (30-foot-tall), 1,012-square-foot restaurant and residential building with basement at 532 Jones Street. The proposed project would demolish the existing structures, merge the three lots, and construct a 13-story, 130-foot-tall, 226,514-sf mixed-use building. The church façade at 450 O'Farrell Street would be retained as part of the proposed project. The proposed development would include up to 182,668 sf of residential space (with 176 dwelling units), 3,827 sf of restaurant and retail space, and 9,555 sf of religious institution space. Up to 46 parking spaces would be provided within a 22,105-sf, one-level subterranean parking garage with access off of Shannon Street. The project site is located in a Residential-Commercial, High Density (RC-

4) District, the North of Market Residential Special Use District No. 1, 80-T-130-T Height and Bulk District, and the Uptown Tenderloin National Register Historic District.

(Continued from Regular hearing on June 28, 2018)

*Preliminary Recommendation: Approve with Conditions*

**NOTE: On June 28, 2018, after hearing and closing public comment the matter was Continued to September 13, 2018 by a vote of +6 -0 (Fong absent).**

16. [2017-015181CUA](#) (A. PERRY: (415) 575-9017)  
412 BROADWAY – north side of Broadway between Montgomery and Kearny Streets, on Lot 033 in Assessor’s Block 0144 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 714, to permit an extension of operating hours until 4 a.m. daily, for an existing Restaurant and Nighttime Entertainment use (d.b.a. The Penthouse Club & Restaurant). No other changes are proposed. The proposed project is located within a Broadway Neighborhood Commercial District (NCD) and 65-A-1 Height and Bulk District. The Project is not subject to the California Environmental Quality Act (CEQA) as the extension of hours is not considered a “project” under CEQA.  
(Continued from Regular hearing on August 30, 2018)  
*Preliminary Recommendation: Disapprove*
17. [2015-018150CUA](#) (C. MAY: (415) 575-9087)  
137 CLAYTON STREET – west side of Clayton Street, between Grove and Hayes Streets, Lot 006 in Assessor’s Block 1194 (District 5): Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish an existing two-story, single-family dwelling and construct a new four-story, 3-unit residential building within a RH-3 (Residential – House, Three-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*
- 18a. [2011.1356TZU](#) (L. CHEN: (415) 575-9124)  
CENTRAL SOMA PLAN – Proposed **Planning Code, Administrative Code, and Zoning Map Amendments** - Public hearing to consider substantive amendments to the proposed Central SoMa Plan as introduced at the Board of Supervisors Land Use & Transportation Committee on July 23, 2018, including 1) amending the Planning Code and Administrative Code to give effect to the Central SoMa Plan; 2) amending the Zoning Maps, including zoning, height, and bulk limits, and Special Use Districts, to give effect to the Central SoMa Plan; 3) amending the Central SoMa Plan Implementation Program; and, 4) making findings under the California Environmental Quality Act; and 5) 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. 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 hearing on September 6, 2018)  
*Preliminary Recommendation: Approve with Modifications*
- 18b. [2018-004477PCA](#) (P. IKEZOE: (415) 575-9137)  
CENTRAL SOMA HOUSING SUSTAINABILITY DISTRICT – Proposed **Planning Code and Business and Tax Regulations Code Amendments** - Public hearing to consider substantive amendments to the proposed Central SoMa Plan as introduced at the Board of Supervisors



Land Use & Transportation Committee on July 23, 2018, including 1) amending the Business and Tax Regulations Code and the Planning Code to establish the Central SoMa Housing Sustainability District; 2) making findings under the California Environmental Quality Act; and 3) 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. 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 hearing on September 6, 2018)

*Preliminary Recommendation: Approve with Modifications*

## 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.

19. [2016-005406DRP](#) (E. JARDINES: (415) 575-9144)  
42 OTIS STREET – between Brady and 12th Streets; Lot 020 in Assessor’s Block 3505 (District 6) - Request for **Discretionary Review** of Building Permit Application No. 2017.0330.2802, for new construction of a five-story, 55-foot tall, mixed-use building with 24 SRO dwelling units and ground floor commercial at 42 Otis Street within a NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning District and 50-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*
  
20. [2017-015386DRP](#) (D. WINSLOW: (415) 575-9159)  
838 PAGE STREET – between Scott and Pierce Streets; Lot 011 in Assessor’s Block 0845 (District 5) - Request for **Discretionary Review** of Building Permit Application No. 2017.1115.4089, for construction of a horizontal and vertical addition (the first story extending 17’-5” from the existing rear wall and the second and third stories extending 11’-0” from the existing rear wall) at the rear of the existing 2-story single-family home within a RH-3 (Residential, House, Three-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: Do Not Take Discretionary Review and Approve*
  
21. [2015-013487DRP](#) (D. WINSLOW: (415) 575-9159)  
1267 RHODE ISLAND STREET – between and 23<sup>rd</sup> and 24<sup>th</sup> Streets; Lot 018 in Assessor’s Block 4217 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2015.09.28.8194, for construction of a horizontal and two-story vertical addition, totaling 2,260 s.f. to an existing 2-story, two-family residence at 1267 Rhode Island Street 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: Do Not Take Discretionary Review and Approve*

## 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.