



# PLANNING COMMISSION PROJECT SUMMARY AND DRAFT MOTION

## COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM

**HEARING DATE:** May 27, 2021

**Record No.:** 2021-003760CUA  
**Project Address:** 4374 Mission Street  
**Zoning:** Excelsior Outer Mission Street Neighborhood Commercial District (NCD)  
40-X Height and Bulk District  
**Block/Lot:** 6798/001  
**Project Sponsor:** Jonathan Salinas  
4374 Mission Street  
San Francisco, CA 94103  
**Property Owner:** Troy Peter Luchessi Revocable Tr  
97 Crest Rd  
Fairfax, CA 94930  
**Staff Contact:** Cathleen Campbell – (628) 652-7387  
[cathleen.campbell@sfgov.org](mailto:cathleen.campbell@sfgov.org)

### Project Description

The project would establish a Personal Service Use (barber shop) within an existing 600 square feet ground level tenant space in a three-story mixed-use building. This ground floor space was most recently used as a tattoo Parlor (also considered a Personal Services Use; DBA JC Tattoo). The project has qualified for review under the Planning Commission's Community Business Priority Processing Program ("CB3P").

### Required Commission Action

The Project requires a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 720, to establish a Personal Service Use operating as a salon and/or providing cosmetic services in the Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District.

## Decision

Based upon information set forth in application materials submitted by the project sponsor and available in the case file (which is incorporated herein by reference as though fully set forth) and based upon the CB3P Checklist and findings below, the Commission hereby **APPROVES** Conditional Use Application No. 2021-003760CUA subject to conditions contained in the attached “EXHIBIT A”.

## CB3P Checklist

	Required Criteria			Comments (if any)
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable	
Project Sponsor’s application	X			
CB3P eligibility checklist	X			
Planning Code §101.1 findings	X			
Planning Code §303(c) findings	X			
Planning Code §303(o) findings for Eating and Drinking Uses			X	
Any additional Planning Code findings e.g. §303(k) findings for movie theater removals or §303(m) findings for grocery store removals			X	
Photographs of the site and/or context	X			
Scaled and/or dimensioned plans			X	
Clearance under California Environmental Quality Act (“CEQA”)			X	Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Additional Information	
Notification Period	5/7/2021-5/27/2021 (20 days mailing; 20 days newspaper; 20 days posted)
Number and nature of public comments received	The Department has not received any correspondence in opposition to the project.
Timeline from complete application to hearing	45 Days

Generalized Basis for Approval (max. one paragraph)
The project is necessary, desirable for, and compatible with the surrounding neighborhood as follows, and as set forth in the Section 101.1, 303(c) findings submitted as part of the application. The proposed Personal Service Use (Barber Shop) would operate in the existing approximately 600 square-foot tenant space. As the establishment will be located wholly within the existing subject site uses in the area will not be affected. Staff recommends Approval with Conditions.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 27, 2021.

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: May 27, 2021

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Jonas P. Ionin  
*Commission Secretary*

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors.

**PROTEST OF FEE OR EXACTION:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in 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. If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

## Attachments:

Exhibit A – Conditions of Approval

Exhibit B – Maps and Context Photos

Exhibit C – Project Application

Exhibit D – Conditional Use Authorization Supplemental Application

Exhibit E – Community Business Priority Processing Program Checklist

## EXHIBIT A

### Authorization

This authorization is for a conditional use to establish a Personal Service Use (barber shop) located at 4374 Mission Street, Block 6798 and Lot 001, pursuant to Planning Code Sections 303 and 720 within the Excelsior Outer Mission Street Neighborhood Commercial Zoning District and a 40-X Height and Bulk District and subject to conditions of approval reviewed and approved by the Commission on May 27, 2021 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on May 27, 2021 under Motion No. XXXXXX.

### Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

## CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

### Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Design – Compliance at Plan Stage

- 6. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7387, [www.sfplanning.org](http://www.sfplanning.org)*

- 7. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7387, [www.sfplanning.org](http://www.sfplanning.org)*

- 8. Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than one Class 1 or Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 9. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 10. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as

set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Operation

- 11. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpublishworks.org](http://www.sfpublishworks.org).*

- 12. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

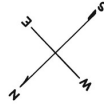
*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 13. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

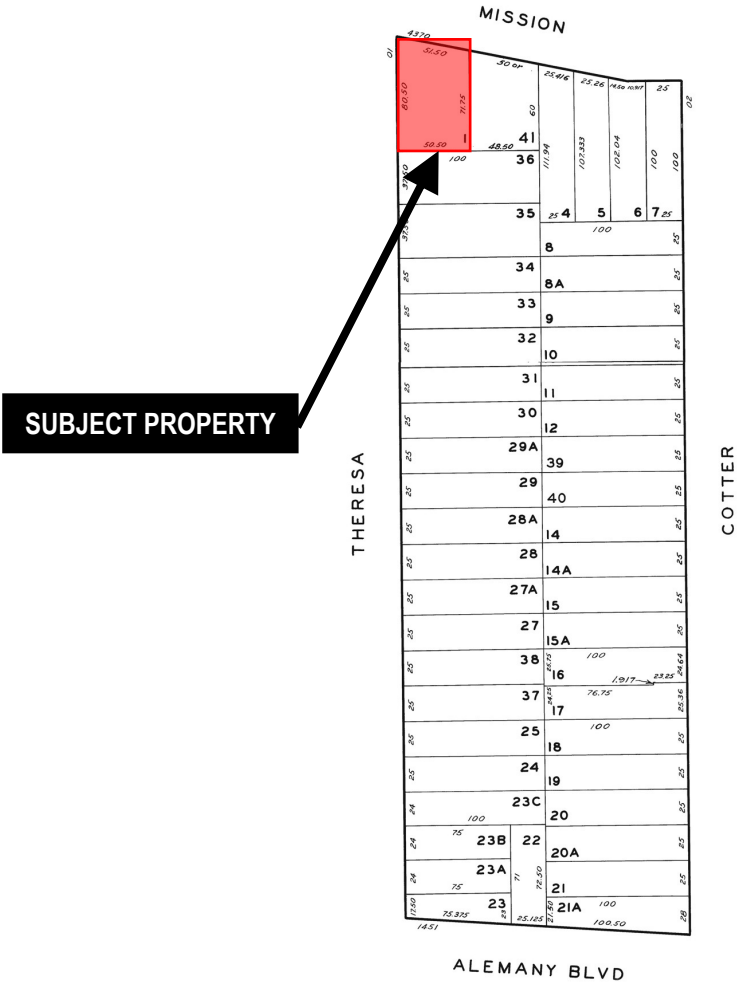
# Parcel Map

© COPYRIGHT SAN FRANCISCO  
CITY & COUNTY ASSESSOR 1995



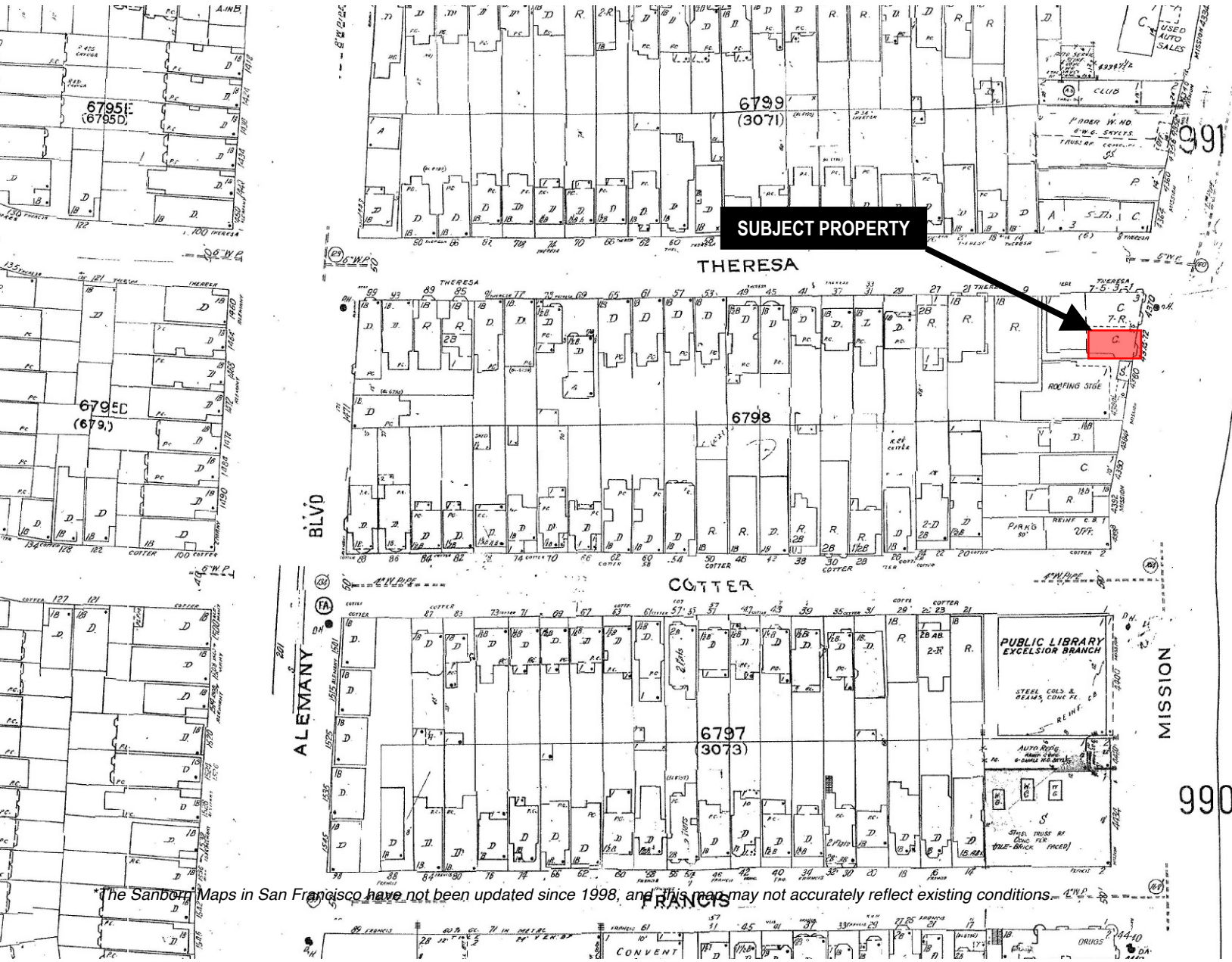
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ACADEMY TR BLK 6  
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72





# Sanborn Map\*



\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Hearing  
**Case Number 2021-003760CUA**  
 Person Services Use (Barbershop)  
 4374 MISSION STREET



# Aerial Photo – View 1



**SUBJECT PROPERTY**



# Aerial Photo – View 2

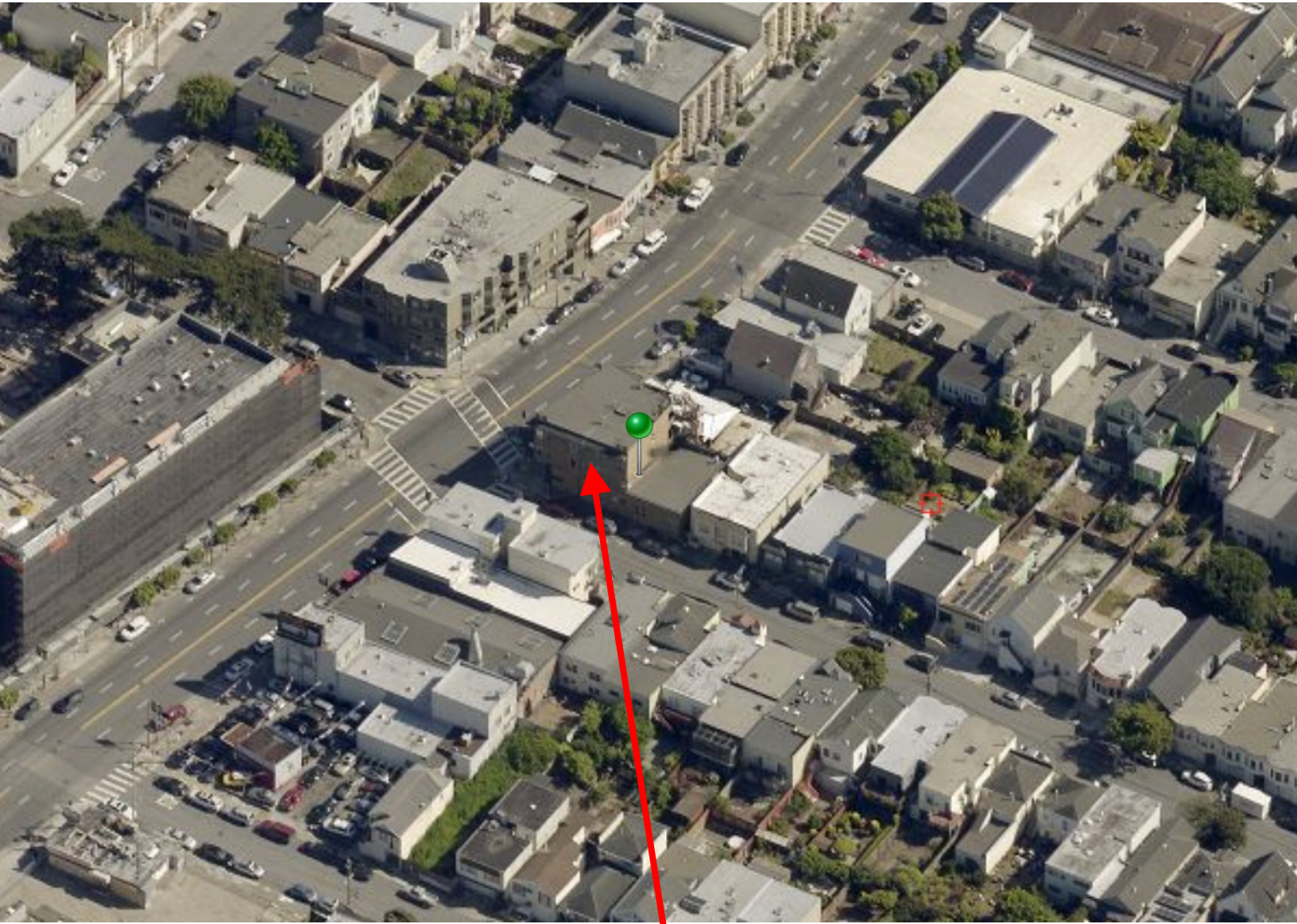


**SUBJECT PROPERTY**



Conditional Use Hearing  
**Case Number 2021-003760CUA**  
Person Services Use (Barbershop)  
4374 MISSION STREET

# Aerial Photo – View 3

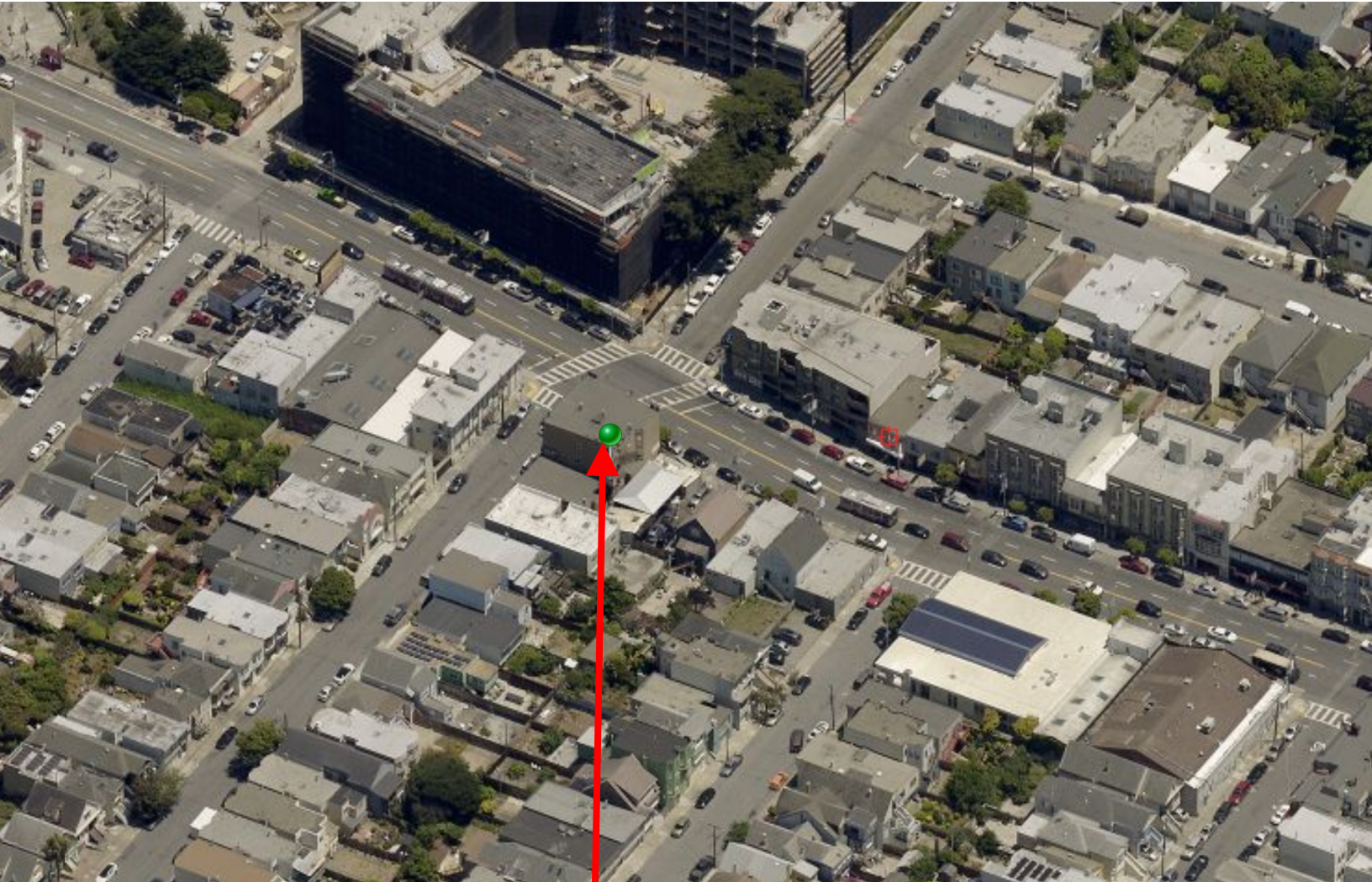


**SUBJECT PROPERTY**



Conditional Use Hearing  
**Case Number 2021-003760CUA**  
Person Services Use (Barbershop)  
4374 MISSION STREET

# Aerial Photo – View 3

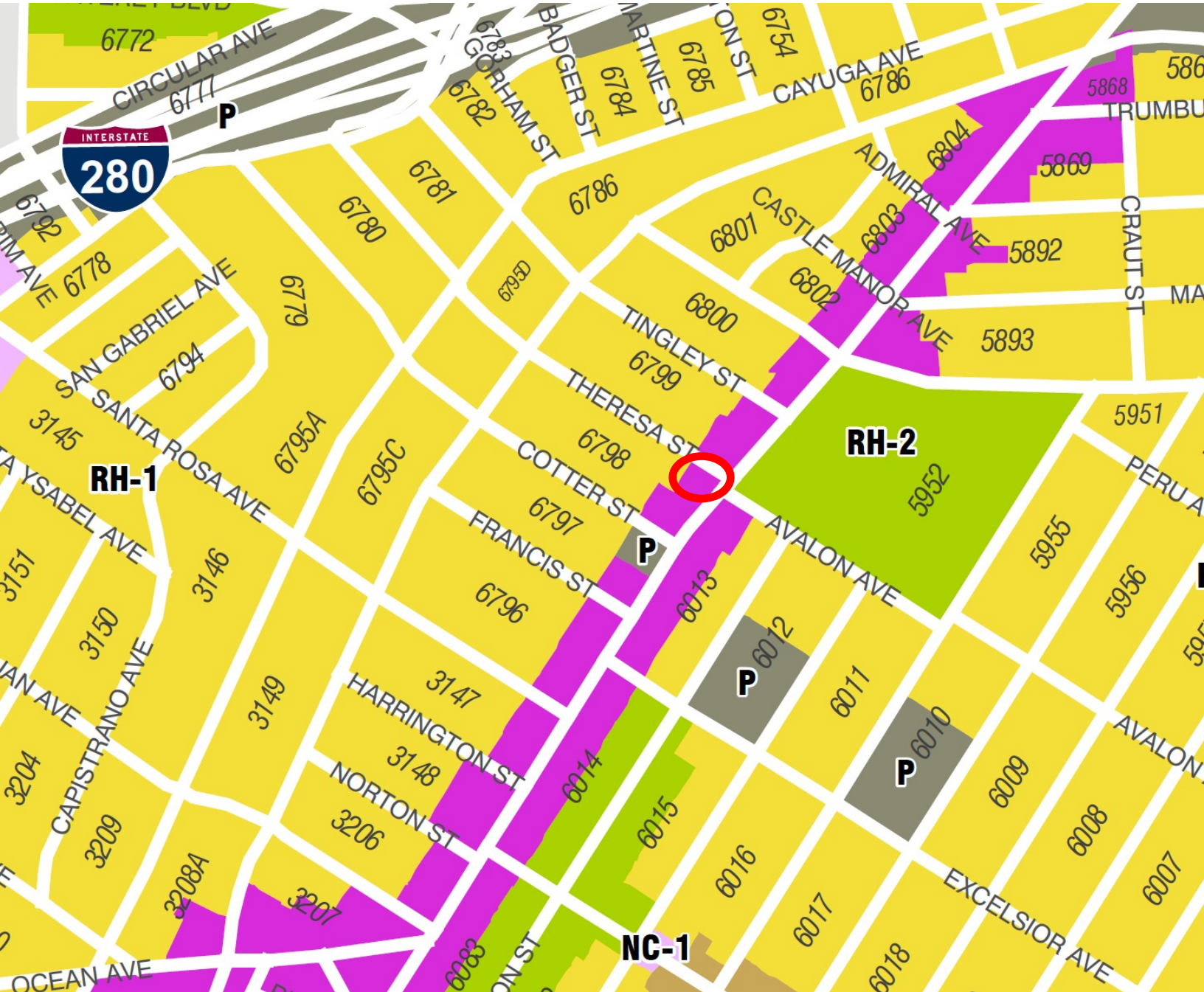


**SUBJECT PROPERTY**



Conditional Use Hearing  
**Case Number 2021-003760CUA**  
Person Services Use (Barbershop)  
4374 MISSION STREET

# Zoning Map



Conditional Use Hearing  
**Case Number 2021-003760CUA**  
Person Services Use (Barbershop)  
4374 MISSION STREET

# Site Photo



Conditional Use Hearing  
**Case Number 2021-003760CUA**  
Person Services Use (Barbershop)  
4374 MISSION STREET



## PROJECT APPLICATION (PRJ)

A Project Application must be submitted for any Building Permit Application that requires an intake for Planning Department review, including for environmental evaluation or neighborhood notification, or for any project that seeks an entitlement from the Planning Department, such as a Conditional Use Authorization or Variance. For more, see the [Project Application Informational Packet](#).

**Cost for Time and Materials:** Any time and materials exceeding initial fees charged for services provided are subject to billing.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### BUILDING PERMIT APPLICATIONS

#### HOW TO SUBMIT:

For projects that do not require an entitlement action by the Planning Department, but require Planning Department review of a Building Permit Application, please present a complete signed Project Application along with the Building Permit Application for intake at <https://sf.gov/apply-building-permit>.

#### WHAT TO SUBMIT:

- One (1) complete and signed application.
- Two (2) hard copy sets of plans that meet the Department of Building Inspection’s submittal standards. Please see the Planning [Department’s Plan Submittal Guidelines](#) for more information.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more information.

Note: The applicable fee amount for Building Permit Applications will be assessed and collected at intake by the Department of Building Inspection at the Central Permitting Bureau at 1660 Mission St, Ground Floor.

(See [Fee Schedule and/or Calculator](#)).

### ENTITLEMENTS

#### HOW TO SUBMIT:

For projects that require an entitlement from the Planning Department (e.g., Conditional Use, Variance), submit a Project Application with any required supplemental applications online at [sfplanning.org/resource/prj-application](http://sfplanning.org/resource/prj-application), or to submit in person, submit an [Intake Request Form](#) to [CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org).

#### WHAT TO SUBMIT:

- One (1) complete and signed PRJ application, or complete online submittal, including the following:
  - An electronic copy (online or USB drive) of plans formatted to print at 11” x 17”. Please see the [Department’s Plan Submittal Guidelines](#) for more information about the required contents of plan submittals.
  - A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
  - Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more information.
  - Current or historic photograph(s) of the property.
  - All supplemental entitlement applications (e.g., Conditional Use, Variance) and information for environmental review, as indicated in this Project Application or in the Preliminary Project Assessment (PPA) letter.
  - Payment via check, money order or debit/credit card for the total fee amount for all required supplemental applications. (See [Fee Schedule and/or Calculator](#)).





# PROJECT APPLICATION (PRJ)

## GENERAL INFORMATION

### Property Information

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Project Address: \_\_\_\_\_

Block/Lot(s): \_\_\_\_\_

### Property Owner's Information

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

### Applicant Information

---

Same as above

Name: \_\_\_\_\_

Company/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please Select Billing Contact:                      Owner                      Applicant                      Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Select Primary Project Contact:                      Owner                      Applicant                      Billing

## RELATED APPLICATIONS

### Related Building Permit Applications (any active building permits associated with the project)

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N/A

Building Permit Application No(s): \_\_\_\_\_

### Related Preliminary Project Assessments (PPA)

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N/A

PPA Application No: \_\_\_\_\_

PPA Letter Date: \_\_\_\_\_

## PROJECT INFORMATION

### PROJECT DESCRIPTION:

Please provide a narrative project description that summarizes the project and its purpose. Please list any required approvals (e.g. Variance) or changes to the Planning Code or Zoning Maps if applicable.

### PROJECT DETAILS:

Change of Use      New Construction      Demolition      Facade Alterations      ROW Improvements  
Additions      Legislative/Zoning Changes      Lot Line Adjustment-Subdivision      Other: \_\_\_\_\_

**Residential:**      Senior Housing      100% Affordable      Student Housing      Dwelling Unit Legalization  
Inclusionary Housing Required      State Density Bonus      Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units:      Rental Units      Ownership Units      Don't Know

Indicate whether a Preliminary Housing Development Application (SB-330) is or has been submitted:      Yes      No

**Non-Residential:**      Formula Retail      Medical Cannabis Dispensary      Tobacco Paraphernalia Establishment  
Financial Service      Massage Establishment      Other: \_\_\_\_\_

**Estimated Construction Cost:** \_\_\_\_\_

# PROJECT AND LAND USE TABLES

All fields relevant to the project **must be completed** in order for this application to be accepted.

	Existing	Proposed
<b>General Land Use</b>	Parking GSF	
	Residential GSF	
	Retail/Commercial GSF	
	Office GSF	
	Industrial-PDR	
	Medical GSF	
	Visitor GSF	
	CIE (Cultural, Institutional, Educational)	
	Useable Open Space GSF	
	Public Open Space GSF	

<b>Project Features</b>	Dwelling Units - Affordable	
	Dwelling Units - Market Rate	
	Dwelling Units - Total	
	Hotel Rooms	
	Number of Building(s)	
	Number of Stories	
	Parking Spaces	
	Loading Spaces	
	Bicycle Spaces	
	Car Share Spaces	
	Roof Area GSF - Total	
	Living Roof GSF	
	Solar Ready Zone GSF	
	Other: _____	


<b>Land Use - Residential</b>	Studio Units	
	One Bedroom Units	
	Two Bedroom Units	
	Three Bedroom (or +) Units	
	Group Housing - Rooms	
	Group Housing - Beds	
	SRO Units	
	Micro Units	
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	


## ENVIRONMENTAL EVALUATION SCREENING FORM





This form will determine if further environmental review is required.

If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>1a. General</b>	Estimated construction duration (months):	N/A	
<b>1b. General</b>	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc.)	Yes      No	
<b>1c. General</b>	Does the project involve a change of use of 10,000 square feet or greater?	Yes      No	
<b>2. Transportation</b>	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	Yes      No	If yes, submit an Environmental Supplemental- <a href="#">School and Child Care Drop-Off &amp; Pick-Up Management Plan</a> .
<b>3. Shadow</b>	Would the project result in any construction over 40 feet in height? 	Yes      No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
<b>4a. Historic Preservation</b>	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	Yes      No	If yes, submit a complete <a href="#">Historic Resource Determination</a> Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
<b>4b. Historic Preservation</b>	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	Yes      No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with <a href="mailto:CPC-HRE@sfgov.org">CPC-HRE@sfgov.org</a> .

 Please see the [Property Information Map](#) or speak with Planning counter staff at the Permit Center to determine if this applies.

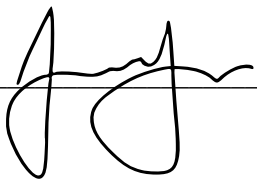
Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>5. Archeology</b> 	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	Yes      No	If Yes, provide depth of excavation/disturbance below grade (in feet*):  <i>*Note this includes foundation work</i>
<b>6a. Geology and Soils</b> 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater?  -----  Area of excavation/disturbance (in square feet):  _____  Amount of excavation (in cubic yards):  _____	Yes      No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project:  The project involves: <ul style="list-style-type: none"> <li>• excavation of 50 or more cubic yards of soil, or</li> <li>• building expansion greater than 500 square feet outside of the existing building footprint.</li> </ul> A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.
<b>6b. Geology and Soils</b> 	Does the project involve a lot split located on a slope equal to or greater than 20 percent?	Yes      No	A categorical exemption cannot be issued. Please contact <a href="mailto:CPC.EPIntake@sfgov.org">CPC.EPIntake@sfgov.org</a> , once a Project Application has been submitted.
<b>7. Air Quality</b> 	Would the project add new sensitive receptors (residences, schools, child care facilities, hospitals or senior-care facilities) within an Air Pollutant Exposure Zone?	Yes      No	If yes, submit an <a href="#">Article 38 Compliance application</a> with the Department of Public Health.
<b>8a. Hazardous Materials</b>	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	Yes      No	If yes, submit a <a href="#">Maher Application Form</a> to the Department of Public Health and submit documentation of Maher enrollment with this Project Application.  Certain projects may be eligible for a waiver from the Maher program. For more information, refer to the Department of Public Health's <a href="#">Environmental Health Division</a> .  <u>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</u>
<b>8b. Hazardous Materials</b>	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	Yes      No	If yes, submit documentation of enrollment in the Maher Program (per above), or a Phase I Environmental Site Assessment prepared by a qualified consultant.

 Please see the [Property Information Map](#) or speak with Planning counter staff at the Permit Center to determine if this applies.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

\_\_\_\_\_  
Signature 

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



# CONDITIONAL USE AUTHORIZATION

## INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.**

Pursuant to Planning Code Section 303, the Planning Commission shall hear and make determinations regarding Conditional Use Authorization applications.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電628.652.7550。請注意, 規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A CONDITIONAL USE AUTHORIZATION?

A Conditional Use refers to a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan. During this public hearing the Planning Commission will “condition” the use by applying operational conditions that may minimize neighborhood concerns as well as other conditions that may be required by the Department and the Planning Code. Conditional Use Authorizations are entitlements that run with the property, not the operator.

### WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

For each Zoning District, the Planning Code contains use charts that list types of uses and whether each is permitted as of right (P), conditionally permitted (C), or not permitted (NP or blank). In addition to those particular uses, the Conditional Use Authorization process is utilized for various other applications included but not limited to dwelling unit removal, Planned Unit Developments (PUD’s), and for off-street parking in certain Zoning Districts. Please consult a planner at the Planning counter at the Permit Center for additional information regarding these applications.

### FEES

Please refer to the [Planning Department Fee Schedule](#) available at [www.sfplanning.org](http://www.sfplanning.org). For questions related to the Fee Schedule, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder’s office and for monitoring compliance with any conditions of approval.



# CONDITIONAL USE AUTHORIZATION

## SUPPLEMENTAL APPLICATION

### Property Information

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 Project Address:

 Block/Lot(s):
 

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### Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

### Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).



2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
- b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
- c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
- d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

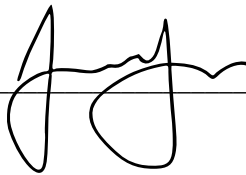
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

\_\_\_\_\_  
Signature 

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



# COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM (CB3P)

## CHECKLIST FOR ELIGIBILITY

The Community Business Priority Processing Program (“CB3P”) was adopted by the San Francisco Planning Commission on February 12, 2015 under Resolution Number 19323. The CB3P streamlines the Conditional Use process for certain small and mid-sized businesses applications. It is the successor program to the Planning Commission’s Small Business Priority Processing Pilot Program (“SB4P”).

Projects that qualify for, and enroll in, the CB3P are guaranteed (1) a hearing date within 90 days of filing a complete application and (2) placement on the Planning Commission’s consent calendar. The analysis of CB3P-projects is documented through a two-page Project Summary and Motion (“PS&M”) rather than the lengthier Executive Summary and Draft Motion documents prepared in connection with conventional applications.

### WHAT TO SUBMIT:

1. One (1) complete checklist (available on the next page) documenting eligibility for participation.

After receiving status of the submitted CB3P Checklist, please follow the submittal instructions in the Conditional Use Authorization Application and Instruction Packet.

### HOW TO SUBMIT:

Please send an email request along with the intake appointment request form and the CB3P Checklist for Eligibility to: [CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org). Intake request forms are available here: <https://sfplanning.org/resource/application-intake-appointment-request>.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

### THE PRE-APPLICATION PROCESS:

The following types of projects require a Pre-Application Meeting Notification. Please be aware that a Pre-Application meeting is also required prior to filing any Planning entitlement application (i.e. Conditional Use Authorization, Variance) for:

- Projects subject to 311 Notification;
- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization;
- Community Business Priority Processing (CB3P); and
- Projects in PDR-I-G Districts subject to Section 313.

Please refer to the Pre-Application Meeting Instruction Packet for further detail or contact planning staff with questions.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

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# CB3P CHECKLIST FOR ELIGIBILITY

## Property Information

Project Address:

Record Number and/or Building Permit Number:

Name of Business (if known):

## Project Description

Please provide a narrative project description that summarizes the project and its purpose. See Attachment

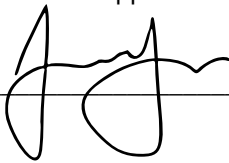
Confirm Compliance with Each Criterion by Checking the Boxes Below		
	Pre-Application Meeting	The applicant has conducted a Pre-Application Meeting.
	Formula Retail	The application does not seek to establish a new Formula Retail use, unless the Formula Retail use has fewer than 20 other establishments.
	Hours of Operation	The application does not seek to establish or expand hours of operation beyond those permitted on an as-of-right basis in the subject zoning district.
	Storefront Consolidation	The application does not seek to consolidate multiple tenant spaces (e.g. storefronts), regardless of any vacancy, into a lesser number of tenant spaces.
	Loss of Dwellings	The application does not seek to remove any dwelling units.
	Alcohol Beverages	The application does not seek to sell any alcoholic beverages excepting beer and/or wine sold on or off-site in conjunction with the operation of a Bona Fide Eating Place.
	Nature of Work	The proposed work involves only a change of use, tenant improvement or similar interior or store-front work. No building expansion or new construction is involved.
	Nature of Use	<p>The application involves only non-residential uses and does not seek to establish or expand any of the following:</p> <ul style="list-style-type: none"> <li>• Massage Establishment</li> <li>• Tobacco Paraphernalia Establishment</li> <li>• Adult Entertainment Establishment</li> <li>• Cannabis Uses</li> <li>• Fringe Financial Service</li> <li>• Drive-up Facility</li> <li>• Wireless Telecommunications Site (“WTS”)</li> <li>• Outdoor Activity Area</li> <li>• Bar</li> <li>• Nighttime Entertainment/Place of Entertainment (e.g. nightclubs, music venues)</li> <li>• Off-Street parking in excess of that allowed on an as-of-right basis</li> <li>• Office closed to the public located on the ground story</li> </ul>

# APPLICANT'S DECLARATION

I hereby attest under penalty of perjury that the information I have provided is true and correct to the best of my knowledge, that I intend to complete the project described herein in compliance with the eligibility requirements of the CB3P Program, that I have read and understood this form, and that I am (a) the property owner or authorized agent of the property owner, (b) familiar with the property, and (c) able to provide accurate and complete information. I understand that knowingly or negligently providing false or misleading information may lead to denial or rescission of my permit and/or other authorization and may constitute a violation of the San Francisco Municipal Code, which can lead to criminal and/or civil legal action along with the imposition of administrative fines.

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.

\_\_\_\_\_  
Signature 

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

## For Department Use Only

Check One:

**ENROLLED**

By:  \_\_\_\_\_

Date: \_\_\_\_\_

**NOT ENROLLED**  
**STATE REASON:** \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_