

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 5, 2019
1:00 p.m.
Regular Meeting

Commissioners:

Myrna Melgar, President
Joel Koppel, Vice President
Frank Fung, Rich Hillis, Milicent Johnson,
Kathrin Moore, Dennis Richards

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

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

Planning Department, 1650 Mission Street, 4th Floor, Suite 400

Voice recorded Agenda only: (415) 558-6422

Commission Hearing Broadcasts:

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

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Disability and language accommodations available upon request to:
commissions.secretary@sfgov.org or (415) 558-6309 at least 48 hours in advance.

Know Your Rights Under the Sunshine Ordinance

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.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 409; phone (415) 554-7724; fax (415) 554-7854; or e-mail at sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at www.sfbos.org/sunshine.

Privacy Policy

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online <http://www.sfgov.org/ethics>.

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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Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 72 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing.

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: Myrna Melgar
Vice-President: Joel Koppel
Commissioners: Frank Fung, Rich Hillis, Milicent Johnson,
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. 2017-008431DRP (K. PHUNG: (415) 558-6373)
2220 TURK BOULEVARD – near the corner of Nido Avenue; Lot 032 in Assessor’s Block 1112 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2017.0612.9029 for the addition of three Accessory Dwelling Units within the existing building within a RH-2 (Residential House, Two Family) Zoning District and 30-X Height and Bulk District. The project originally proposed five ADUs, two of which did not require a Variance. The Zoning Administrator held public hearings on December 6, 2017 and on January 17, 2018 for a Variance request to the exposure requirements for three proposed ADUs facing onto the rear. On May 23, 2018, a Variance Decision Letter granted a Variance for one of the proposed ADUs facing onto the rear yard and denied the request for the other two (Case No. 2017-008431VAR). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
(Proposed for Indefinite Continuance)
2. 2017-008412DRP (K. PHUNG: (415) 558-6373)
2230 TURK BOULEVARD – at the corner of Nido Avenue; Lot 033 in Assessor’s Block 1112 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2017.0530.7844 for the addition of three Accessory Dwelling Units within the existing building within a RH-2 (Residential House, Two Family) Zoning District and 30-X Height and Bulk District. The project originally proposed five ADUs, two of which did not require a Variance. The Zoning Administrator held public hearings on December 6, 2017 and on January 17, 2018 for a Variance request to the exposure requirements for two proposed ADUs facing onto the rear, and to the rear yard requirements for one proposed ADU. On June 1, 2018, a Revised Variance Decision Letter granted a Variance for one proposed ADU for infill in the rear yard and denied the Variance to exposure for two proposed ADUs facing onto the rear yard (Case No. 2017-008412VAR). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
(Proposed for Indefinite Continuance)

B. COMMISSION MATTERS

3. Consideration of Adoption:
 - [Draft Minutes for August 22, 2019 – Closed Session](#)
 - [Draft Minutes for August 22, 2019 – Regular](#)

4. 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.

C. DEPARTMENT MATTERS

5. Director's Announcements

6. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

D. 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. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

E. 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.

- 7a. [2015-010192CWP](#) (J. FRANCIS: (415) 575-9147)
POTRERO POWER STATION – the area generally bounded by Illinois Street on the west, 23rd Street on the south San Francisco Bay on the East, and 22nd Street on the north, Assessor's Block and Lots: 4175/002; 4175/017; 4175/018; 4232/001; 4232/006; and non-assessed Port and City/County of San Francisco properties (District 10). This is an **Informational Presentation** on the proposed Potrero Power Station Mixed-Use Development Project, located in the Central Waterfront at the site of the former power station decommissioned in 2011 by then-owner Mirant Potrero LLC. Associate Capital/California Barrel Company, the project sponsor, seeks to redevelop the approximately 29-acre site for a multi-phased, mixed-use development, including new waterfront open space. The proposed project would rezone the site, establish land use controls and design standards, and provide for development of approximately 2,601 dwelling units, approximately 1,500,000 gross square feet (gsf) of office / life science/laboratory use, 241,574 gsf (250 rooms) of hotel use, 50,000 gsf of community facilities use, 35,000 gsf of production, distribution, and repair use, 25,000 gsf of entertainment/assembly use, 99,464 gsf of retail use, 6.9 acres of publicly accessible open space, 1,862 bicycle parking spaces, and 2,686 parking spaces. Overall, the proposed project would construct up to approximately 5.3 million gsf of development. The

proposed rezoning would modify the existing height limits of 40 and 65 feet to various heights ranging from 65 to 240 feet. The project would require amendments to the General Plan and Planning Code, creating a new Potrero Power Station Special Use District. This presentation will provide an update on the project, including the proposed package of public benefits.

Preliminary Recommendation: None – Informational

- 7b. [2017-011878GPA](#) (J. FRANCIS: (415) 575-9147)
POTRERO POWER STATION – the area generally bounded by Illinois Street on the west, 23rd Street on the south San Francisco Bay on the East, and 22nd Street on the north, Assessor’s Block and Lots: 4175/002; 4175/017; 4175/018; 4232/001; 4232/006; and non-assessed Port and City/County of San Francisco properties (District 10). This is a hearing to consider **Initiation of General Plan Amendments** related to the proposed Potrero Power Station Mixed-Use Development Project, located in the Central Waterfront at the site of the former power station decommissioned in 2011 by then-owner Mirant Potrero LLC. Associate Capital/California Barrel Company, the project sponsor, seeks to redevelop the approximately 29-acre site for a multi-phased, mixed-use development, including new waterfront open space. The proposed project would rezone the site, establish land use controls and design standards, and provide for development of approximately 2,601 dwelling units, approximately 1,500,000 gross square feet (gsf) of office / life science/laboratory use, 241,574 gsf (250 rooms) of hotel use, 50,000 gsf of community facilities use, 35,000 gsf of production, distribution, and repair use, 25,000 gsf of entertainment/assembly use, 99,464 gsf of retail use, 6.9 acres of publicly accessible open space, 1,862 bicycle parking spaces, and 2,686 parking spaces. Overall, the proposed project would construct up to approximately 5.3 million gsf of uses. The proposed rezoning would modify the existing height limits of 40 and 65 feet to various heights ranging from 65 to 240 feet. The project would require amendments to the General Plan, including the Central Waterfront Area Plan, the Land Use Index, and the Commerce & Industry, Urban Design, Recreation & Open Space, and Transportation Elements.
Preliminary Recommendation: Initiate and schedule a public hearing on or after October 3, 2019

F. 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.

- 8a. [2018-013006DRP](#) (D. WINSLOW: (415) 575-9159)
550 10TH AVENUE – near Balboa Street; Lot 035 in Assessor’s Block 1552 (District 1) – Request for **Discretionary Review** of Building Permit Application No. 2019.0710.5558 for demolition and replacement of a legal non-conforming 2 car garage under an expanded deck in the required rear yard. Planning Code Section 134 requires the subject property to maintain a rear yard of approximately 30 feet. The proposed work would replace and relocate an existing rear garage entirely within the rear yard with one that encroaches 5’ into the rear yard below an existing stair and deck which would be expanded by approximately 5’ within a RH-1(D) (Residential-House, 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: Take Discretionary Review and Approve with Modifications

- 8b. [2018-013006VAR](#) (D. WINSLOW: (415) 575-9159)
[550 10TH AVENUE](#) – near Balboa Street; Lot 035 in Assessor’s Block 1552 (District 1) – Request for **Variance** from the Zoning Administrator to demolish and replace a 2-car garage under an expanded deck and stair within the required rear yard. Planning Code Section 134 requires the subject property to maintain a rear yard of approximately 30 feet. The proposed garage would replace and relocate an existing rear garage and would lessen the encroachment within the required rear yard. The proposed garage would be relocated below an existing stair and deck, which would be extended approximately 5 feet into the required rear yard and result in a rear yard of approximately 30 feet. Therefore, a variance is required.
9. [2018-013317DRP](#) (D. WINSLOW: (415) 575-9159)
[333 CAMINO DEL MAR](#) – near 27th Avenue; Lot 044 in Assessor’s Block 1332 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2018.0927.1583 for construction of a 620 s.f. 4th- story vertical rear addition to an existing single-family dwelling within a RH-1 (Residential-House, One 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
10. [2017-013309DRP-04](#) (D. WINSLOW: (415) 575-9159)
[1 WINTER PLACE](#) – near Mason; Lot 032 in Assessor’s Block 0118 (District 3) – Request for **Discretionary Review** of Building Permit Application No. 2018.1004.2256 for construction of a 4th-story vertical addition to an existing 3-story two-family house within a RM-2 (Residential-Mixed, Moderate 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: Take Discretionary Review and Approve with Modifications
 (Continued from Regular hearing on July 18, 2019)

G. 3:00 P.M.

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

11. [2015-014028ENV](#) (K. ZUSHI: (415) 575-9038)
[3333 CALIFORNIA STREET \(AKA 3333 CALIFORNIA STREET MIXED-USE PROJECT\)](#) – south side of California Street, west side of Presidio Avenue, north side of Masonic and Euclid Avenues, and east side of Laurel Street, Lot 003 in Assessor’s Block 1032 (District 2) – Certification of the **Final Environmental Impact Report**. The EIR evaluated four scenarios including a base project and variant and a revised base project and revised variant. The proposed project includes converting the existing office building into two residential buildings with up to three stories added, constructing 13 additional buildings onsite, ranging from 4-story duplex townhouses to 6-story apartment buildings, creating a total of

744 dwelling units (including 185 on site affordable senior dwelling units and 1 manager's unit), 34,496 square feet of non-residential uses along California Street, below-grade parking garages with 857 parking spaces, and a 14,665 gross square-foot child care facility. The project site is located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.

Please Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on January 8, 2019. Public comment will be received when the item is called during the hearing. However, comments submitted may not be included in the Final EIR.

Preliminary Recommendation: Certify

- 12a. [2015-014028ENV](#) (N. FOSTER: (415) 575-9167)
3333 CALIFORNIA STREET (AKA 3333 CALIFORNIA STREET MIXED-USE PROJECT) – south side of California Street, west side of Presidio Avenue, north side of Masonic and Euclid Avenues, and east side of Laurel Street, Lot 003 in Assessor's Block 1032 (District 2) – Request for **Adoption of Findings and Statement of Overriding Considerations** under the California Environmental Quality Act (CEQA). The proposed project ("Project") includes converting an existing office building into two residential buildings with up to three stories added to each, constructing 13 additional new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, creating a total of 744 dwelling units (including 185 on site affordable senior dwelling units), 34,496 square feet of non-residential uses along California Street, below-grade parking garages with space for 857 parking spaces, a 14,665 gross square-foot child care facility, 41,288 square feet of private open space, and 127,126 square feet of privately owned, publicly accessible open space that will include public pathways through the site and an existing open space at Euclid Avenue. The project site is currently located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Adopt Findings and Statement of Overriding Considerations

- 12b. [2015-014028PCAMAP](#) (N. FOSTER: (415) 575-9167)
3333 CALIFORNIA STREET (AKA 3333 CALIFORNIA STREET MIXED-USE PROJECT) – south side of California Street, west side of Presidio Avenue, north side of Masonic and Euclid Avenues, and east side of Laurel Street, Lot 003 in Assessor's Block 1032 (District 2) – Request for **Planning Code and Zoning Map Amendments**. Ordinance introduced by Supervisor Catherine Stefani to amend the Planning Code to add Section 249.86 to create the 3333 California Street Special Use District (SUD). The purpose of the SUD is to facilitate the development of a mixed-use project in a transit-rich location with residential, non-residential, child care, open space, and related uses, and to give effect to the Development Agreement for the 3333 California Street Mixed-Use Project. The Ordinance would specify development controls that apply to the SUD, allowing additional (non-residential) permitted uses along California Street; specifying parking for childcare use, affordable housing, and open space requirements; specifying director determination and discretionary review controls; and extinguishing City Planning Commission Resolution 4109. The Ordinance would also amend Zoning Maps SU03 and HT03, reclassifying the height and bulk designation of the site from 40-X to 40-X, 45-X, 67-X, 80-X, and 92-X. The proposed amendments will be before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.
Preliminary Recommendation: Approve

- 12c. [2015-014028DVA](#) (N. FOSTER: (415) 575-9167)
3333 CALIFORNIA STREET (AKA 3333 CALIFORNIA STREET MIXED-USE PROJECT) – south side of California Street, west side of Presidio Avenue, north side of Masonic and Euclid Avenues, and east side of Laurel Street, Lot 003 in Assessor’s Block 1032 (District 2) – Request for Approval of a **Development Agreement** between the City and County of San Francisco and Laurel Heights Partners, LLC, for the development of the 3333 California Street Mixed-Use Project, with various public benefits, including 25% affordable housing, a child care center comprised of approximately 14,690 square feet, and approximately 4.47 acres of open space; approving certain development impact fees for the Project and waiving certain Planning Code fees and requirements; and confirming compliance with or waiving certain provisions of Administrative Code, Chapter 56, and ratifying certain actions taken in connection therewith. Pursuant to San Francisco Administrative Code Section 56.4(c), the Director of Planning has received and accepted a complete application for the amendment of the above-mentioned development agreement which is available for review by the public at the Planning Department in Planning Department Case File No. 2015-014028DVA.

Preliminary Recommendation: Adopt a Recommendation for Approval

- 12d. [2015-014028CUA](#) (N. FOSTER: (415) 575-9167)
3333 CALIFORNIA STREET (AKA 3333 CALIFORNIA STREET MIXED-USE PROJECT) – south side of California Street, west side of Presidio Avenue, north side of Masonic and Euclid Avenues, and east side of Laurel Street, Lot 003 in Assessor’s Block 1032 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 253, 303, and 304 to allow structures to exceed 40 feet in a RM Zoning District; for a change of use for an existing child care facility (to be replaced at a different location on the project site); and to allow a Planned Unit Development (PUD) with the requested modifications from the requirements of the Planning Code. The proposed project includes converting an existing office building into two residential buildings with up to three stories added to each, constructing 13 additional new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, creating a total of 744 dwelling units (including 185 on site affordable senior dwelling units and 1 manager’s unit), 34,496 square feet of non-residential uses along California Street, below-grade parking garages with space for 857 parking spaces, a 14,665 gross square-foot child care facility, 41,270 square feet of private- and common-open space, and 125,226 square feet of privately-owned, publicly-accessible open space that will include public pathways through the site and an existing open space at Euclid Avenue. The project site is currently located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

ADJOURNMENT

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.

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) 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.

Case Type	Case Suffix	Appeal Period*	Appeal Body
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.

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.