

PLANNING DEPARTMENT CITY AND COUNTY OF SAN FRANCISCO

Notice of Hearing on Application for Zoning Variance

Remote Hearing via Video & Teleconferencing
(See Access Information Below)

Live, Wednesday, April 22, 2020

Session Begins at 9:30 A.M.

Public Hearing

Corey A. Teague, Zoning Administrator

Eva Atijera-Taylor, Recording Secretary

Notice is hereby given to the general public and to owners of the subject property and other property within 300 feet that an application for variance under the Planning Code as described below has been filed with the Zoning Administrator.

Any remaining questions concerning this application review process may be answered by the Planning Information Center at (415) 558-6377.

Variance Calendars and **Audio Recording of the Hearing** are available on the Internet at <http://www.sfplanning.org>

Accessible Meeting Policy

Hearings are **normally** held at **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 408, Fourth Floor**, San Francisco, CA 94103. The closest accessible BART Station is the Civic Center Station located at the intersection of Market, Hyde and Grove Streets. Accessible curb side parking has been designated at points along McAllister Street. Accessible MUNI Lines serving City Hall are the 42 Downtown Loop, 9 San Bruno and 71 Haight/Noriega and the F Line. Accessible MUNI Metro Lines are the J, K, L, M, N and T. For more information regarding MUNI accessible services, call **311 within San Francisco, (415) 701-2311 outside Bay Area, or TTY (415) 701-2323**. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting **Lulu Hwang at (415) 558-6318** at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should call our accessibility **hotline at (415) 554-8925** to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Cell Phone and/or Sound-Producing Electronic Devices Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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.

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.

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 Administrator by mail at 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by E-mail at sotf@sfgov.org.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administration Code 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite #220, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site <http://www.ci.sf.ca.us/ethics/>.

ENGLISH:

For language assistance or to request an assistive device for a hearing, please call 415-558-6309. Please make requests at least 48 hours in advance of the hearing.

SPANISH:

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:

歷史保護委員會議程。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:

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:

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.

**ZONING ADMINISTRATOR
NOTICE OF HEARING ON
APPLICATION FOR ZONING VARIANCE**

Notice is hereby given to the general public and to owners of the subject property and other property within 300 feet that an application for variance under the Planning Code as described below has been filed with the Zoning Administrator and will be considered at a PUBLIC HEARING to be held on the date and time listed on the first page of this Calendar:

Remote Access to Information and Participation

In accordance with Governor Gavin Newsom’s statewide order for all residents to “Shelter-in-Place” - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

On April 3, 2020, the Planning Department was authorized to resume their hearing schedule through May 3, 2020 remotely. Therefore, the Zoning Administrator’s hearings will be held via videoconferencing and allow for remote public comment.

*The Zoning Administrator strongly encourages interested parties to submit their comments in writing to their assigned Planner, in advance of the hearing. **To view the hearing, please use the following link at the start of the hearing:** The Microsoft Teams app is only supported by Chrome and Explorer (Safari does not).*

[Watch the Variance Hearing](#)

This link may also be accessed on the Remote Hearings page of the Planning Department website. Members of the public may also call into the hearing to provide comment by dialing one of the following numbers during the hearing using the information below:

USA Toll-Free	USA Caller Paid/International Toll	Access Code
888-278-0296	214-765-0479	5670133

*Wait for the Public Comment to be announced for your Item, **then Dial ‘1’ then ‘0’** to be added to the speaker line. Mute the microphone in your computer and use the microphone in your cell phone/telephone only to avoid echoes and background noise. Wait for your turn to speak; you will be prompted by the system message.*

As the COVID-19 emergency progresses, please visit the Planning Department’s website regularly to be updated on the current situation as it affects the hearing process of the Zoning Administrator.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Zoning Administrator will consider a request for continuance to a later date. He 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.

To be continued to Wednesday, May 27, 2020 at the regularly scheduled Monthly Variance Hearing; location of the hearing will be announced at a later date or if the hearing will be held remotely:

1. 2016-000460VAR (MONICA GIACOMMUCI)
612 NATOMA STREET, Lot 043 in Assessor's Block 3727 in a RED
(Residential Enclave) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct a two-story vertical addition above an existing one-story with mezzanine industrial building. The vertical addition will house a single-family dwelling unit. A garage will be added at the ground floor.

PLANNING CODE SECTION 134 requires residential buildings in the Residential Enclave District (RED) to maintain a rear yard equivalent to 25% of the lot depth at the ground floor and every subsequent floor. The existing building encompasses its entire lot. Adding a residential use creates a noncomplying condition for the existing building. Therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2016-000460VAR.pdf>.

B. CONSENT CALENDAR

All items listed hereunder constitute a Consent Calendar and are considered to be routine by the Zoning Administrator. There will be no separate discussion of these items unless a member of the public so requests, in which case the matter shall be removed from the Consent Calendar and considered as a separate item at this time or at a future hearing.

INSTRUCTION TO THE MEMBERS OF THE PUBLIC: Items will only be taken off the Consent Calendar if the request is made by email no later than 9:00 am on the day of the hearing. Please email any such request to: Corey.Teague@sfgov.org. Items will not be removed from the Consent calendar during the hearing.

2. 2019-007159VAR (ALEX WESTHOFF)

145 MISSOURI STREET, Lot 022 in Assessor's Block 3985 in a RH-2 (Residential House Two Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: This project proposes to legalize a rear porch that is 4 feet 7 inches by 17 feet 10 inches. The porch was built as a replacement of the previous porch.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 22 feet. The rear porch completely encroaches into the required rear yard. Therefore, the project requires a rear yard variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<https://notice.sfplanning.org/2019-007159VAR.pdf>

3. 2019-012751VAR (CATHLEEN CAMPBELL)

855 CASTRO STREET, Lot 036 in Assessor's Block 3622 in a RH-2 (Residential-House, Two Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to legalize the reconstruction of a deck at the second floor and the addition of a firewall extending into the required rear yard of the subject property. The property contains an existing two-story two-family building.

PLANNING CODE SECTION 134 requires the subject property to have a rear yard of 20 feet. The existing deck is legal non-complying and the proposed deck reconstruction and firewall addition would encroach approximately 7 feet 6 inches into the required rear yard, resulting in a rear yard of 12 feet 6 inches. Therefore, the project requires a variance.

PLANNING CODE SECTION 135 requires each unit to provide at least 125 square feet of private useable open space. The replacement deck will not have access to the rear yard and is not at least 125 square feet in size. Therefore, the top unit requires an open space variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-012751VAR.pdf>

4. 2019-014066VAR (CATHLEEN CAMPBELL)

183 TRUMBULL STREET, Lot 030 in Assessor's Block 5867 in a RH-1 (Residential-House, One Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to legalize the construction of a deck at the second floor extending into the required rear yard of the subject property. The property contains an existing two-story single-family building on a triangular corner lot that also includes a legal noncomplying off-street accessory parking space.

PLANNING CODE SECTION 134 requires the subject property to have a rear yard of 30 percent of the lot depth, but in no case less than 15 feet. The existing building is legal non-complying and the proposed deck addition would encroach approximately 15 feet into the required rear yard. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-014066VAR.pdf>.

5. 2018-002825VAR (LINDA AJELLO HOAGLAND)

780 KANSAS STREET, Lot 013A in Block 4074 in the Residential-Mixed, Low Density (RM-1) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct a vertical and horizontal addition on an existing two-dwelling unit building and to add a garage at the ground floor. The subject lot is irregularly shaped and is approximately 600 square feet smaller than the required minimum lot area of 2,500 square feet. The subject lot measures 25 feet wide and has an average lot depth on approximately 78 feet. The existing building is nonconforming in that it extends into the required rear yard and exceeds the permitted 12-foot projection.

PLANNING CODE SECTION 134 requires that the subject property maintain a rear yard of 36 feet 8 inches. The existing building is located within the required rear yard (to within 30 feet from the rear property line) and the proposed addition would result in additional encroachment (to 29 feet 11 inches). Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2018-002825VAR.pdf>.

6. 2019-014557VAR (XYNYU LIANG)

3420-3422 20TH STREET, Lots 089 and 090 in Assessor's Block 3595 in a RTO-M (Residential Transit Oriented- Mission) Zoning District and a 55-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to expand the rear building into the existing wash porch area and to replace the rear exterior stairs with a new elevator that would be located within the new rear additions. The project also includes interior and front façade alterations by widening the garage door and the second-floor bay to match the existing third-floor bay and replacing the existing foundation.

PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 26 feet. The proposed rear addition will encroach approximately 19 feet 6 inches into the required rear yard and result in a rear yard of approximately 6 feet 6 inches. Therefore, the project requires a rear yard variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-014557VAR.pdf>.

C. REGULAR CALENDAR**7. 2019-016010VAR (LINDA AJELLO HOAGLAND)**

474 LIBERTY STREET, Lot 101 in Assessor's Block 3604 in the Residential-House, One Family (RH-1) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The Project proposes a single-story, horizontal rear addition with a roof deck above and spiral staircase to provide access to the rear yard.

PLANNING CODE SECTION 241(a) requires the subject property to maintain a rear yard of 51 feet 3 inches. The proposed addition and spiral staircase will fall within the required rear yard. Therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-016010VAR.pdf>.

8. 2019-013872VAR (CATHLEEN CAMPBELL)

591 CLIPPER STREET, Lot 019A in Assessor's Block 6556 in a RH-2 (Residential House Two Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to legalize the construction of a one-story accessory structure in required rear yard and permit the addition of approximately 15 square feet to accommodate a full bath.

PLANNING CODE SECTION 134 requires the subject property is to have a rear yard of 60 feet 5 inches. The proposed accessory structure would fall entirely within the required rear yard. Therefore, the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-013872VAR.pdf>

9. **2019-000507VAR** (ELLA SAMONSKY)
3537 - 23RD STREET, Lot 023 in Assessor's Block 3646 in a RH-3 (Residential-House, Three-Family) Zoning District and a 40-X Height and Bulk District.

FRONT SET BACK VARIANCE SOUGHT: The proposal is to construct a two-story horizontal and vertical addition, and the addition of a second dwelling unit to a single-family home.

PLANNING CODE SECTION 132 requires the subject property to maintain a front setback of approximately 5 feet 10 inches. The proposed addition will extend 4 feet 8 inches into the front setback area. Therefore, a front setback variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-000507VAR.pdf>

10. **2019-000648VAR** (GABRIELA PANTOJA)
2280 - 15TH STREET, Lot 030 in Assessor's Block 3540 in a RH-3 (Residential-House, Three-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct a three-story horizontal addition at the rear of an existing three-story, three-unit residential building. At the first and second floors, the addition will in-fill the northeast corner of the building and be approximately 21 feet 10 inches in length and 15 feet 2 inches in width. At the third floor, the addition will also in-fill the northeast corner of the building and be approximately 14 feet 10 inches in length and 5 feet 4 inches in width.

PLANNING CODE SECTION 134 requires the subject lot to maintain a minimum rear yard equal to 45 percent of the total lot depth. However, the rear yard setback may be reduced to a line representing the average between the buildings' depths on adjacent lots, but in no case shall the required rear yard be less than 25 percent of the subject lot's depth or 15 feet, whichever is greater. The required rear yard for the subject property is 47 feet 3 inches. The proposed horizontal addition will encroach at maximum 19 feet 3 inches into the required rear yard. Therefore, a rear yard Variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-000648VAR.pdf>

11. **2019-015633VAR** (KIMBERLY DURANDET)
345 HOLLY PARK CIRCLE, Lot 024B in Assessor's Block 5717 located within the RH-2 (Residential Home- Two Family) Zoning District and a 40-X Height and Bulk District.
- REAR YARD VARIANCE SOUGHT:** The project proposes to demolish and reconstruct a rear yard stair, a 4-foot wide x 8-foot deep infill between an existing volume and the blank wall of an adjacent building, and to modify the roof of the existing shed roof to a flat roof with a small roof terrace and new stairs.
- PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of approximately 16 feet. The proposed rear addition will encroach approximately 4 feet 8 inches into the required rear yard and result in a rear yard of approximately 11 feet 4 inches. The new stairs and firewall extend to the rear property line. Therefore, the project requires a rear yard variance.
- ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-015633VAR.pdf>.
12. **2019-013042VAR** (LINDA AJELLO HOAGLAND)
4122-4124 - 26TH STREET, Lots 046 & 047 in the Residential-House, Two Family (RH-2) Zoning District and a 40-X Height and Bulk District.
- REAR YARD VARIANCE SOUGHT:** The proposal is to demolish the existing two-level rear yard deck and construct a new three-level rear yard deck.
- PLANNING CODE SECTION 134 requires the subject property to maintain a rear yard of 51 feet 4 inches. The existing deck is located within the required rear yard. The new three-level deck will have the same depth as the existing deck but will add a new deck at the second story, thus increasing the amount of structure located within the required rear yard. Therefore, a variance is required.
- ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at:
<http://notice.sfplanning.org/2019-013042VAR.pdf>.
13. **2019-003647VAR** (LINDA AJELLO HOAGLAND)
101 LANDERS STREET, Lot 056B Lot 3557 in the Residential Transit Oriented (RTO) Zoning District and a 40-X Height and Bulk District.
- REAR YARD VARIANCE SOUGHT:** The proposal is to reconstruct a detached, noncomplying garage located within that rear yard that was demolished without permit (NOV No. 201932221). A new roof deck on top of the garage is also proposed, as it was previously approved per Building Permit No. 201411202125.
- PLANNING CODE SECTION 134 requires the subject property to provide a rear yard of 35 feet 9 inches. The demolished non-complying garage was located on

the rear property line. The replacement structure is proposed in the same location within the rear yard. Therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department’s website at:
<http://notice.sfplanning.org/2019-003647VAR.pdf>.

14. 2019-020106VAR (STEPHANIE CISNEROS)

3355- 21ST STREET, Lot 087 in Assessor's Block 3617 in a RH-3 (Residential House Three Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes to reconstruct an existing three-story egress stair and associated landings within the required rear yard.

PLANNING CODE SECTION 134 requires that the property maintain a rear yard of 45 percent, or approximately 56 feet. The existing building projects into the required rear yard by approximately 14 feet and the proposed reconstructed three-story egress stair and landing will project an additional 6 feet. Therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department’s website at:
<http://notice.sfplanning.org/2019-020106VAR.pdf>.

C. PUBLIC COMMENT:

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

The Zoning Administrator will not take action on any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the Zoning Administrator may:

- (1) respond to statements made or questions posed by members of the public; or
- (2) request staff to report back on a matter at a subsequent meeting; or
- (3) direct staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT

Hearing Procedures

The **Zoning Administrator** typically holds Variance Hearings on the **4th Wednesday of each month at 9:30 a.m.**, at the **San Francisco City Hall, Room 408**. City Hall is located at One Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Hearings are open to the public.

At the hearing, the **Project Sponsor** (Variance Applicant) will be given 5 minutes to present their case, including relevant testimony and evidence. The hearing room is equipped with a projector that can display photographs, architectural plans or other drawings and images. **Members of the public** will be given 3 minutes each to speak on the item. If a member of the public speaks against an item, the Project Sponsor will be given a 3-minute **rebuttal**.

Persons attending a hearing may comment on any scheduled item. When speaking, please note that a **timer** is displayed for each speaker and indicates how much time remains. Speakers will hear a loud sound indicating that the speaker's opportunity to address the Zoning Administrator has ended.

Please note that some items may appear on the **Consent Calendar**. These items are considered routine and may be granted by the Zoning Administrator. There is no separate discussion of consent items unless the Zoning Administrator, member of the public or staff so requests, in which event the matter is removed from the Consent Calendar and will be moved to the Regular Calendar in the Agenda.

In addition, the Zoning Administrator may consider a request for **continuance** to a later date. He may choose to continue the item to the date proposed, to continue the item to another date, or to hear the item on this calendar.

After all of the testimonies are submitted, the Zoning Administrator will consider the evidence, deliberate, and either make a decision, take the matter under advisement, or continue the matter in order for additional information to be presented.

Each hearing ends with **general public comment**, at which time members of the public may address the Zoning Administrator for up to 3 minutes on items of interest to the public that are within the subject matter jurisdiction of the Zoning Administrator, except agenda items. With respect to Agenda items, your opportunity to address the Zoning Administrator will be afforded when the item is reached during the meeting.

All Agenda of Variance Hearings and its Audio Recording (from June 2010 to present) are available on our website for access.

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 Zoning Administrator 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*).

Decision Letter and Appeal Process

No decision is final until a **Variance Decision Letter** is issued. Due to current backlogs, decision letters may take **up to 2 months** to complete from the date of the hearing. The Zoning Administrator's action to grant or deny a variance application may be appealed to the Board of Appeals within **10 days** of the date of the Decision Letter. For more information on how to file an appeal, please contact the **Board of Appeals** in person at 1650 Mission Street, Suite 304, call **(415) 575-6880**, or visit the [San Francisco Board of Appeals](#) website.

If any members of the public would like to receive a copy of the signed Variance Decision Letter via email, please send a request by email addressed to the Planner assigned to the case. The name of the Planner

can be found in this Agenda, in the notice that you received in the mail, or in the poster posted on the subject property.

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 Zoning Administrator'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.

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 Zoning Administrator or Planning Commission, at, or prior to, the public hearing.

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

If the Zoning Administrator's or 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.

Privacy Policy

SF Planning is committed to protecting the privacy rights of individuals and security measures are in place to protect personally identifiable information (PII), i.e. social security numbers, driver's license numbers, bank accounts. Members of the public are not required to provide PII to the Commission or Department, as all written submittals and oral communications become part of the public record, which can be made available to the public for review and/or viewable on Department websites. Members of the public submitting materials containing PII are responsible for redacting said sensitive information prior to submittal of documents to Planning.