

# SAN FRANCISCO PLANNING COMMISSION



## Notice of Hearing & Agenda

Remote Hearing  
via video and teleconferencing

**Thursday, September 10, 2020**  
**1:00 p.m.**  
**Regular Meeting**

**Commissioners:**

Joel Koppel, President  
Kathrin Moore, Vice President  
Deland Chan, Sue Diamond,  
Frank Fung, Theresa Imperial

**Commission Secretary:**

Jonas P. Ionin

**Hearing Materials are available at:**

Website: <http://www.sfplanning.org>  
Planning Department  
49 South Van Ness, 14<sup>th</sup> Floor  
San Francisco, CA 94103

**Commission Hearing Broadcasts:**

Live stream: <https://sfgovtv.org/planning>  
Live, Thursdays at 1:00 p.m., Cable Channel 78  
Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

Disability and language accommodations available upon request to:  
[commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) or (628) 652-7589 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](mailto: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](http://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.

### **San Francisco Lobbyist Ordinance**

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.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

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 (628) 652-7589, or [commissions.secretary@sfgov.org](mailto: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 (628) 652-7589, or [commissions.secretary@sfgov.org](mailto: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 (628) 652-7589. 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(628) 652-7589。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 (628) 652-7589. 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 (628) 652-7589. Запросы должны делаться минимум за 48 часов до начала слушания.

## **Remote Access to Information and Participation**

*In accordance with Governor 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 Commission was authorized to resume their hearing schedule through the duration of the shelter-in-place remotely. Therefore, the Planning Commission meetings will be held via videoconferencing and allow for remote public comment. The Commission strongly encourages interested parties to submit their comments in writing, in advance of the hearing to [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org). Visit the SFGovTV website (<https://sfgovtv.org/planning>) to stream the live meetings or watch on a local television station.*

*Public Comment call-in: Toll-free number: (415) 655-0001 / Access code: 146 124 5399*

*The public comment call-in line number will also be provided on the Department's webpage [www.sfplanning.org](http://www.sfplanning.org) and during the live SFGovTV broadcast.*

*As the COVID-19 emergency progresses, please visit the Planning website regularly to be updated on the current situation as it affects the hearing process and the Planning Commission.*

## ROLL CALL:

President:	Joel Koppel
Vice-President:	Kathrin Moore
Commissioners:	Deland Chan, Sue Diamond, Frank Fung, Theresa Imperial

## 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. 2018-002124CUA (C. ALEXANDER: (628) 652-7334)  
54 04<sup>TH</sup> STREET – located on the west side of 4<sup>th</sup> Street and between Market and Mission Streets; Lot 034 in Assessor’s Block 3705 (District 13) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.2 and 303 to allow a hotel use. The proposed project (“Project”) includes a conversion of the 68 vacant residential hotel rooms (SROs) to tourist use. The subject property (Mosser Hotel) currently contains 81 residential hotel rooms and 87 tourist hotel rooms for a total of 168 rooms within a C-3-R (Downtown-Retail) Zoning District and 160-S Height and Bulk District. 13 tenants currently reside in the 81 residential hotel rooms, with 68 of them vacant. None of the existing tenants are proposed to be evicted. The Project Sponsor proposes to satisfy the one-for-one residential room replacement required by Administrative Code Section 41.13(a)(4) and (a)(5) by paying an in-lieu fee “to a public entity or nonprofit organization, which will use the funds to construct comparable units, an amount at least equal to 80% of the cost of construction of an equal number of comparable units plus site acquisition costs.” This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
(Continued from Regular hearing on July 30, 2020)  
**(Proposed for Continuance to October 1, 2020)**
  
2. 2017-007063CUA (M. CHRISTENSEN: (628) 652-7567)  
518 BRANNAN STREET – northwest side of Brannan Street between 4<sup>th</sup> and 5<sup>th</sup> Streets; Lot 037 in Assessor’s Block 3777 (District 6) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 249.78, 303, and 840, for a Project which proposes to convert an existing one-story automotive repair shop to a Cannabis Retail establishment within a MUG (Mixed Use - General) Zoning District, Central SoMa Special Use District, and 45-X / 65-X Height and Bulk Districts. No on-site smoking or vaporizing of cannabis products is proposed as part of the Project. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*  
**(Proposed for Continuance to October 8, 2020)**
  
- 3a. 2017-009964DRP (D. WINSLOW: (628) 652-7335)  
526-530 LOMBARD STREET – between Fielding and Stockton Streets; 011 in Assessor’s Block 0063 (District 3) – Request for **Discretionary Review** of Building Permit 2017.0718.2272 for the new construction of a four-story, two-family dwelling 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: Do Not Take Discretionary Review and Approve*

(Continued from Regular hearing on June 18, 2020)

**(Proposed for Continuance to October 8, 2020)**

- 3b. 2017-009964VAR (C. FAHEY: (628) 652-7367)  
526-530 LOMBARD STREET – between Fielding and Stockton Streets, Lot 011 in Assessor's Block 0063 (District 3) – Request for **Variances** from the rear yard, residential open space, and dwelling unit exposure requirements of the Planning Code, pursuant to Sections 134, 135, and 140. The subject property is located within a RM-2 (Residential – Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District.  
(Continued from Regular hearing on June 18, 2020)  
**(Proposed for Continuance to October 8, 2020)**
4. 2020-006148CUA (L. AJELLO: (628) 652-7320)  
2843 GEARY BOULEVARD – south side of Geary Blvd between Collins and Wood Streets; Lot 025 in Assessor's Block 1091 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 739, to establish a Cannabis Retail use with no on-site consumption in an existing 1,425 square foot ground floor commercial space within the Geary Boulevard NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. A 1-story horizontal addition at the rear of the building and minor front façade changes are proposed. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*  
**(Proposed for Continuance to October 15, 2020)**
- 5a. 2013.0511DNX (C. ALEXANDER: (628) 652-7334)  
1125 MARKET STREET – located on the south side of Market Street between 7<sup>th</sup> and 8<sup>th</sup> Streets; Lot 047, in Assessor's Block 3702 (District 6) – Request for **Downtown Project Authorization** pursuant to Planning Code Sections 210.2 and 309 to allow a project greater than 50,000 square feet of floor area within a C-3 Zoning District with exceptions for reduction of ground-level wind currents in C-3 Districts (Section 148) and reduction of sunlight on the public sidewalks (Section 146). The proposed project ("Project") includes the construction of a new 12-story mixed-use hotel and office building reaching a roof height of up to 119-feet-tall (141-feet-tall inclusive of rooftop screening/mechanical equipment). The Project includes a total gross floor area of approximately 111,711 square feet, with approximately 99,626 gross square feet of hotel use (180 hotel guest rooms), 9,529 gross square feet of office use (coworking space), and approximately 2,556 gross square feet of restaurant/retail uses on the ground floor. The Project also includes 2,482 gross square feet of privately-owned public open space (POPOS) within the ground floor, 9 Class 1 and 19 Class 2 bicycle parking spaces for the hotel, office, and retail uses. The subject property is located within a C-3-G Zoning District and 120-X Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*  
**(Proposed for Continuance to October 22, 2020)**

- 5b. 2013.0511CUA (C. ALEXANDER: (628) 652-7334)  
1125 MARKET STREET – located on the south side of Market Street between 7<sup>th</sup> and 8<sup>th</sup> Streets; Lot 047, in Assessor’s Block 3702 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.2 and 303 to allow a hotel use. The proposed project (“Project”) includes the construction of a new 12-story mixed-use hotel and office building reaching a roof height of up to 119-foot-tall (141-foot-tall inclusive of rooftop screening/mechanical equipment). The Project includes a total gross floor area of approximately 111,711 square feet, with approximately 99,626 gross square feet of hotel use (180 hotel guest rooms), 9,529 gross square feet of office use (coworking space), and approximately 2,556 gross square feet of restaurant/retail uses on the ground floor. The Project also includes 2,482 gross square feet of privately-owned public open space (POPOS) within the ground floor, 9 Class 1 and 19 Class 2 bicycle parking spaces for the hotel, office, and retail uses. The subject property is located within a C-3-G Zoning District and 120-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*  
**(Proposed for Continuance to October 22, 2020)**

## B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

6. [2018-004330DRM](#) (M. CHRISTENSEN: (628) 652-7567)  
2440 BAYSHORE BOULEVARD – northwest side of Bayshore Blvd between Leland and Visitacion Avenues; Lot 020 in Assessor’s Block 6249 (District 10) – Request for **Mandatory Discretionary** Review of Building Permit Application No. 2020.0219.4816, which proposes to amend Condition of Approval No. 1 of Discretionary Review Action No. 0500 to alter the permitted hours of operation of the existing Medical Cannabis Dispensary from 9 am – 7 pm daily to 8 am to 10 pm daily, with no other alterations to the property or use. The subject property is developed with a two-story building containing two dwelling units and one commercial unit and is within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, Schlage Lock Special Use District, and 55-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

## C. COMMISSION MATTERS

7. Consideration of Adoption:  
• [Draft Minutes for August 27, 2020](#)
8. Commission Comments/Questions

- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

## D. DEPARTMENT MATTERS

9. Director's Announcements
10. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

## E. GENERAL PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

## F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

11. (R. ABAD OCUBILLO: (628) 652-7456)  
OVERVIEW OF SHARED SPACES – Informational Presentation – Planning Department staff will give an overview of the City's Shared Spaces Program. This program makes it easier to use outdoor places like sidewalks, streets, and open lots for business during the coronavirus pandemic. Permits are free. The presentation will include a discussion of 1) program goals; 2) menu options for businesses; 3) statistics on the use of the program; and 4) the application of an equity framework to encourage broader participation. Learn more at: <https://sf.gov/shared-spaces>  
*Preliminary Recommendation: None – Informational*
12. [2016-012135CUA](#) (G. PANTOJA: (628) 652-7380)  
2214 CAYUGA AVENUE AND 3101 ALEMANY BOULEVARD – between Sickles Avenue and Regent Street; Lots 001 and 034 in Assessor's Block 7146 (District 11) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 303, 317, and 710 for the demolition of an existing two-story, single family residence and the construction of four new four-story, 40-foot, residential buildings containing a total of seven dwelling units, approximately 15,196 square feet in area, and seven Class 1 bicycle parking spaces within a NC-1 (Neighborhood Commercial, Cluster) and 40-X Height and Bulk District. This

action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

## G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

- 13a. [2019-016047DRP](#) (D. WINSLOW: (628) 652-7335)  
1350 HAYES STREET – between Broderick and Divisadero Streets; Lot 015 in Assessor’s Block 1201 (District 5) – Request for **Discretionary Review** of Building Permit 2019.0826.9876 to construct a new 892 sq. ft. and 20’- 4” wide by 41’-3” long two-story dwelling unit at the rear portion of the lot containing an existing single-family home within a RM-1 (Residential Mixed-Low Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Take Discretionary Review and Approve*
- 13b. [2019-016047VAR](#) (C. MAY: (628) 652-7359)  
1350 HAYES STREET – north side of Hayes Street between Broderick and Divisadero Streets; Lot 015 in Assessor’s Block 1201 (District 5) – Request for a **Variance** to the rear yard requirements of Planning Code Section 134 to construct a new 892 sq. ft. and 20’- 4” wide by 41’-3” long two-story dwelling unit at the rear portion of the lot containing an existing single-family home within a RM-1 (Residential Mixed-Low Density) Zoning District and 40-X Height and Bulk District. The subject property is required to maintain a rear yard of approximately 34 feet. The proposed two-story dwelling unit will encroach approximately 27 feet into the required rear yard and result in a rear yard of 7 feet.
14. [2019-001613DRP](#) (M. CHANDLER: (628) 652-7340)  
2100-2102 JONES STREET & 998 FILBERT STREET – northeast side of the intersection of Filbert and Jones Streets Lot 017 in Assessor’s Block 0092 (District 3) – Request for **Discretionary Review** of Building Permit Application No. 2020.0127.2820, for the conversion of two (2) existing commercial storefronts to two (2) ADUs (Accessory Dwelling Units) per City Ordinance No. 162-16 at the ground floor of an existing eight-unit building within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
 (Continued from Regular hearing on July 30, 2020)  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

## 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](http://www.sfplanning.org).

Public Comments: Persons attending a hearing may comment on any scheduled item.

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue(s) by the Director or a member of the staff.
2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
4. **Public testimony from proponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
5. **Public testimony from opponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
6. Director's preliminary recommendation must be prepared in writing.
7. Action by the Commission on the matter before it.
8. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
9. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
10. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
11. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue by the Director or a member of the staff.
2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.

5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

### **Hearing Materials**

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 49 South Van Ness Ave, 14<sup>th</sup> Floor, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary ([commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org)) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 49 South Van Ness Ave, 14<sup>th</sup> Floor, 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](mailto:board.of.supervisors@sfgov.org).

An appeal of the approval (or denial) of a **100% Affordable Housing Bonus Program application** may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Sections 328(g)(5) and 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** issued (or denied) pursuant to a 100% Affordable Housing Bonus Program application by the Planning Commission or the Board of Supervisors may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

### **Challenges**

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

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

If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

### **Protest of Fee or Exaction**

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

The Planning Commission's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.

### **Proposition F**

Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).