

# SAN FRANCISCO PLANNING COMMISSION



## Notice of Hearing & Agenda

This Meeting will be held in:  
Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, December 1, 2022**  
**1:00 p.m.**  
**Regular Meeting**

Commissioners:

Rachael Tanner, President  
Kathrin Moore, Vice-President  
Derek Braun, Sue Diamond, Theresa Imperial,  
Joel Koppel, Gabriella Ruiz

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

[Planning Commission Packet and Correspondence](#)

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.

### **Ramaytush Ohlone Acknowledgement**

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

### **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 [soft@sfgov.org](mailto:soft@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.

### **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。

**FILIPINO:** 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.

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45<sup>th</sup> Supplement to her February 25, 2020, emergency proclamation, it is possible that some members of the Planning Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or online at <https://sfplanning.org/>. Instructions for providing remote public comment are below.

### 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.*

*Below you will find information on how to participate remotely. You may do so by calling in or joining via Webex link.*

	<i>Planning Commission Remote Participation</i>
<i>Hearing</i>	<i>December 1, 2022</i>
<i>Call-in</i>	<i>+1-415-655-0001</i>
<i>Access Code</i>	<i>2488 892 5464</i>
<i>WebEx Link</i>	<i><a href="https://sfgov.webex.com/sfgov/onstage/g.php?MTID=e9b53c49973cf4071e9777ee8b82a7a8a">https://sfgov.webex.com/sfgov/onstage/g.php?MTID=e9b53c49973cf4071e9777ee8b82a7a8a</a></i>

*This information will also be provided on the Department's webpage <https://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: Rachael Tanner  
Vice-President: Kathrin Moore  
Commissioners: Derek Braun, Sue Diamond, Theresa Imperial,  
Joel Koppel, Gabriella Ruiz

## 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. 2020-005491ENV (J. NAVARRETE: (628) 652-7561)  
2022 HOTEL CONVERSION ORDINANCE AMENDMENTS – 2022 Hotel Conversion Ordinance Amendments (HCO) Definition of Tourist or Transient Use; Amortization Period; San Francisco Board of Supervisors File No. 220815. **Preliminary Negative Declaration Appeal.** The 2022 HCO Amendments project is an ordinance amending Chapter 41 of the Administrative Code to add a definition of Tourist or Transient Use under the Residential Hotel Unit Conversion Ordinance; to set the term of tenancy for such use at less than seven days for a period of two years after the effective date of this ordinance, and at no less than 30 days following that two-year period; to provide an amortization period applicable to hotels currently regulated under the ordinance; to provide a process by which the owners or operators of regulated hotels can apply for an extension of the amortization period, on a case-by-case basis; and, to amend the definition of Permanent Resident from a person who occupies a room for 32 days to a person who occupies a room for 30 days.  
**(Proposed for Continuance to January 26, 2023)**

## 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

2. [2021-011595CUA](#) (G. PANTOJA: (628) 652-7380)  
333 DOLORES STREET – east side between 16<sup>th</sup> and 17<sup>th</sup> Streets; Lot 057 in Assessor's Block 3567 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1 and 303 for the construction of a one-story building and expansion of an existing School Use (DBA "Children's Day School") within a RM-1 (Residential- Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The new building will replace three existing temporary classroom structures at the site and not increase the school's existing student enrollment. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's 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*

3. [2022-003067CUA](#) (E. WU: (628) 652-7415)  
245 VALENCIA STREET – east side between Clinton Park and 14<sup>th</sup> Street; Lot 091 of Assessor's Block 3532 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.2, 303, and 752, to allow the temporary conversion of an existing parking garage (currently accessory to a church "Annunciation Cathedral") into a commercial parking garage open to the general public (DBA Golden State Parking) and the establishment of a non-residential use larger than 4,000 square feet within a NCT-3 (Moderate Scale Neighborhood Transit) Zoning District and 50-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*
4. [2022-000346CUA](#) (K. AGNIHOTRI: (628) 652-7454)  
428 15<sup>TH</sup> AVENUE – east side between Geary Boulevard and Anza Street; Lot 024 in Assessor's Block 1530 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to demolish an existing single-family dwelling and construct two new dwelling units at the subject property, within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*
5. [2022-007603CUA](#) (K. AGNIHOTRI: (628) 652-7454)  
944 IRVING STREET – north side between 10<sup>th</sup> and 11<sup>th</sup> Avenues; Lot 025 of Assessor's Block 1740 (District NCD) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303(n) and 730, to establish a massage use (d.b.a. Enchanted Massage), within an existing retail space at the ground floor of an existing two-story commercial building, within the Inner Sunset NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission's 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

6. Land Acknowledgement
7. Consideration of Adoption:
  - [Draft Minutes for November 10, 2022](#)
  - [Draft Minutes for November 17, 2022](#)
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; when applicable, followed by a presentation of the project sponsor team; followed by public comment. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

11. [2022-009701PCA](#) (V. FLORES: (628) 652-7525)  
GROCERY STORES IN POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT [BF 221023] – **Planning Code Amendment** – sponsored by Supervisor Peskin, to authorize replacement of a Legacy General Grocery use with a subsequent General Grocery use in excess of 4,000 square feet in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
*Preliminary Recommendation: Approve with Modifications*
12. [2022-008199GPR](#) (M. SNYDER: (628) 652-7460)  
200 FOLSOM STREET (AKA TRANSBAY BLOCK 2) – the block bounded by Folsom Street on the south, Main Street on the east, Beale Street on the west and the alignment of Clementina Street on the north, Lot 014 in Assessor's Block 3739 – **General Plan Conformity Findings** – Pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code of the City and County of San Francisco, recommending General Plan conformity findings for an amendment to the Redevelopment Plan for the Transbay Project Area that would increase the maximum floor plate standard for portions of the building between 85-feet and 144-feet in height from 7,500 square feet to 11,100 square feet, and for portions of the building between 144-feet and 165-feet in height from 7,500 square feet to 9,200 square feet for the subject site; and making findings with the eight

priority policies of Planning Code Section 101.1. The amendments would enable the Transbay Block 2 Project, which would include two 100% affordable housing buildings on an empty lot (previously used for the temporary Transit Center); the two new buildings would extend to 85-feet and 165-feet in height (exclusive of mechanical equipment) and would be programmed for senior housing and family housing respectively and together would include 335 units, 4,900 square feet of retail, a 6,447 square foot childcare center, among other features. The subject site is currently within a TB DTR (Transbay Downtown Residential) Zoning District, within the Transbay Redevelopment Project Area – Zone 1, and 50/85/165-TB Height and Bulk District.

*Preliminary Recommendation: Adopt*

- 13a. [2019-003978CUA](#) (R. SALGADO: (628) 652-7332)  
749 GRANT AVENUE – southwest corner of Clay Street; Lot 001 in Assessor’s Block 0225 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 254 and 303, to allow for a structure over 35 feet in height in a Chinatown Mixed-Use District, for a Project that includes the construction of a two-story addition on top of the existing two-story mixed-use building to create a four-story mixed-use building with retail space at the ground floor and basement and six two-bedroom dwelling-units, with approximately 1,500 square feet of common open space via a roof deck, at the subject property. The project site is located within a CVR (Chinatown-Visitor Retail) Zoning District and 50-N Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission’s 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*
- 13b. [2019-003978VAR](#) (R. SALGADO: (628) 652-7332)  
749 GRANT AVENUE – southwest corner of Clay Street; Lot 001 in Assessor’s Block 0225 (District 3) – Request for Zoning Officer to consider a **Variance** from the Site Coverage in Chinatown Mixed-Use Districts requirements of Planning Code Section 134.1. The project site is located within a CVR (Chinatown-Visitor Retail) Zoning District and 50-N Height and Bulk District.
14. [2019-014334CUA](#) (K. GUY: (628) 652-7325)  
2629 TAYLOR STREET – northwest corner of North Point Street; Lot 014 in Assessor’s Block 0022 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.1, 240.2, and 303 to demolish the existing one-story commercial building and construct a new four-story over basement hotel reaching a height of 40 feet with approximately 136 rooms and 2,000 square feet of ground floor retail uses within a C-2 (Community Business) Zoning District, Waterfront SUD (Special Use District) #2, and 40-X Height and Bulk District. The Planning Department issued a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The Commission’s action constitutes the Approval Action for the project for the purposes of the California Environmental Quality Act, 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.

15. [2021-006673DRP](#) (D. WINSLOW: (628) 652-7335)  
88 WINFIELD STREET – north side between Esmeralda and Coso Avenues; Lot 028A in Assessor’s Block 5611 (District 9) – Request for **Discretionary Review** of Building Permit No. 2020.0111.9195 to construct a vertical and rear horizontal addition to a two-story residence within a RH-2 (Residential-House, Two Family) Zoning District, Bernal Heights SUD (Special Use District), and 40-X Height and Bulk District. The Planning Department found that the project is exempt from the California Environmental Quality Act (CEQA). The Commission’s 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*

## 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).

**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>.