


# 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, January 18, 2024**  
**12:00 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 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 [sof@sfgov.org](mailto:sof@sfgov.org). Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force or the San Francisco Library.

## 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

**LOCATION:** 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.

**ESPAÑOL:** 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.

**中文:** 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.

**РУССКИЙ:** 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.

**ROLL CALL**

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

**A. CONSIDERATION 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. 2023-006990DRP (M. DITO: (628) 652-7358)  
1846 GROVE STREET – south side of Fulton Street between Ashbury Street and Masonic Avenue; Lot 003H in Assessor's Block 1187 is an undeveloped "Flag" lot with minimal street frontage and a long access path before widening at the rear. The lot is accessed from Fulton Street, despite the Grove Street address. (District 5) – Request for **Discretionary Review** of Building Permit Application Nos. 2019.1224.0493, 2019.1224.0614, and 2019.1224.0615 to construct four dwelling units on a vacant lot. The project proposes two duplexes and one accessory structure for bicycle parking and miscellaneous storage. The subject property is located within a RH-2 (Residential, House – Two-Family) and RH-3 (Residential, House – Three-Family) Zoning District, Family Housing Opportunity 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). Pursuant to Chapter 31 of the San Francisco Administrative Code, the Environmental Review Officer determined that the proposed project, which was originally approved by the Board of Supervisors on November 3, 2020 (Motion M20-165), does not constitute a "substantial modification" as compared to the original project application upon which the CEQA exemption dated November 21, 2019 was based. Therefore, no additional environmental review is required.  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*  
**(Proposed for Continuance to February 29, 2024)**
2. 2023-004973CUA (T. ATOYEBI: (628) 652-7363)  
1701 FILLMORE STREET – west side between Post and Sutter Streets; Lot 034 in Assessor's Block 0683 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 760, to establish a formula retail use (d.b.a. Super Duper Burgers), within an existing commercial space at the ground floor of a four-story mixed-use building, within the Fillmore Street NCT (Neighborhood Commercial Transit) Zoning District and 50-X Height and Bulk District. There will be no expansion of the existing building envelope. 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*  
 Continued from Regular hearing on November 16, 2023  
**(Proposed for Continuance to March 7, 2024)**
3. 2023-005698CUA (E. OROPEZA: (628) 652-7416)  
2450 SAN BRUNO AVENUE – southwest corner of Silliman Street; Lot 031 in Assessor's Block 5925 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 741, to establish a formula retail use (d.b.a. Chase Bank), within an existing retail space at the ground floor of a two-story commercial building, within the San Bruno Avenue 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*  
 Continued from Regular hearing on November 9, 2023  
**(Proposed for Indefinite Continuance)**

4. **2022-001394CUA** (C. ENCHILL: (628) 652-7551)  
1526 POWELL STREET – east side of Powell Street, north of Vallejo Street; Lot 025 in Assessor’s Block 0130 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 121.1 for development on a lot exceeding 2,500 square feet and Sections 155(t) and 303 to install a garage within the North Beach Neighborhood Commercial District (NCD). Request for State Density Bonus pursuant to Planning Code Section 206.6 to achieve an additional seven units over the base density of 13 units, for a total of 20 units, one Concession/Incentive to allow residential use at the ground floor in-lieu of required ground floor commercial (Section 722) and three Waivers: including: Rear Yard (Section 134), Dwelling Unit Exposure (Section 140), and Building Height (Section 260), within the North Beach NCD (Neighborhood Commercial District) North Beach Specific Use District (SUD), Group Housing SUD and 40-X Height and Bulk District. The project proposes a major alteration to a one-story over basement light-industrial building that is a historic resource while retaining the front façade, and construct a six-story residential addition. A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#) (h).  
 Continued from Canceled hearing on January 4, 2024  
**(Proposed for Indefinite Continuance)**

## B. COMMISSION MATTERS

5. LAND ACKNOWLEDGEMENT
6. 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.
7. ELECTION OF OFFICERS

## C. DEPARTMENT MATTERS

8. DIRECTOR’S ANNOUNCEMENTS
9. REVIEW OF PAST EVENTS AT THE BOARD OF SUPERVISORS, BOARD OF APPEALS AND HISTORIC PRESERVATION COMMISSION

## D. GENERAL PUBLIC COMMENT

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

## E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; 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.

10. [2023-010060PCA](#) (A. MERLONE: (628) 652-7534)  
DENSITY CONTROLS IN COMMUNITY BUSINESS DISTRICTS [BF 231079] – **Planning Code Amendment** – Ordinance, sponsored by Supervisor Peskin, amending the Planning Code to modify density limits in C-2 Districts (Community Business), east of Columbus Avenue and north of Washington Street; affirming the Planning

Commission's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; 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*

11. [2023-010847PCA](#) (V. FLORES: (628) 652-7525)  
CONDITIONAL USE AUTHORIZATION FOR REMOVAL OF UNAUTHORIZED UNIT [BF 231185] – **Planning Code Amendments** – Ordinance, sponsored by Supervisor Melgar, to amend the Planning Code to waive the Conditional Use Authorization requirement for removal of an unauthorized unit in a single-family home where the owner satisfies certain eligibility criteria, waive the Conditional Use Authorization requirement for removal of an unauthorized unit where that unit does not satisfy open space, dwelling unit exposure, or minimum floor-to-ceiling height requirements, update the required Conditional Use Authorization findings for removal of an unauthorized unit to account for the history of tenancies in that unit; amending the Administrative Code to require that where an owner obtains an exemption from the Conditional Use Authorization requirement to remove an unauthorized unit from a qualifying single-family home, the single-family home shall be subject to the rent increase limitations of the Rent Ordinance; 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, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
*Preliminary Recommendation: Approve with Modification*
  
12. [2017-011878DVA-02](#) (M. GIACOMUCCI: (628) 652-7414)  
POTRERO POWER STATION MIXED-USE PROJECT – east side between 22nd and 23rd Streets; Lots 002 and 017 in Assessor's Block 4175 and Lots 001 and 006 in Assessor's Block 4232 (District 10) – Request for **Resolution** recommending the Board of Supervisors approve an Amendment to the Development Agreement the City and County of San Francisco and "California Barrel Company LLC" in association with the Potrero Power Station Mixed-Use Project. The proposal would modify the Development Agreement and its Financing Plan to allow implementation of an Enhanced Infrastructure Financing District (EIFD) pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code. The EIFD would provide financing for the Project's public infrastructure, affordable housing, and other facilities such as parks and open The Potrero Power Station Mixed-Use Development project has undergone environmental review pursuant to California Environmental Quality Act (CEQA). The Planning Commission certified the EIR and CEQA findings for the Potrero Power Station Mixed-Use Development project on January 30, 2020. The Environmental Review Officer certified an addendum to the certified EIR for the Potrero Power Station Mixed-Use Development project on October 22, 2020.  
*Preliminary Recommendation: Approve*
  
13. [2022-001045CUA](#) (C. FEENEY: (628) 652-7313)  
2515 FOLSOM STREET – east side between 21st and 22nd Streets; Lot 029 in Assessor's Block 3613 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 209.1, 303, and 317 to allow for the demolition of an existing single-family home and to construct a new four-story residential building with four dwelling units, roof decks, and a garage with four parking spaces in stackers, within a RH-3 (Residential- House, Three 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*  
 Continued from Regular hearing on December 7, 2023
  
14. [2023-006564CUA](#) (C. FEENEY: (628) 652-7313)  
767 BUSH STREET – south side between Mason and Powell Streets; Lot 018 in Assessor's Block 0284 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.12, 209.3, and 303, to remove an approximately 4,136 square foot Laundromat use and remove the mezzanine level, and establish a Restaurant use on the ground floor and basement level of a two-story commercial building, within a RC-4

(Residential- Commercial, High Density) Zoning District and 65-A 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*

## F. DISCRETIONARY REVIEW CALENDAR

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

15. [2023-001805DRP-02](#) (D. WINSLOW: (628) 652-7335)  
[3751 21ST STREET](#) – south side between Noe and Sanchez Streets; Lot 077 in Assessor's Block 3621 (District 8) – Request for **Discretionary Review** of Building Permit No. 2022.1216.8564 - a revision to a previously approved permit to extend the front of the third story of a two-story vertical and rear horizontal addition to a one-story over basement, single-family home and construction of an ADU within a RH-1 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: Do Not Take Discretionary Review and Approve*

16. [2022-009059DRP](#) (D. WINSLOW: (628) 652-7335)  
[2955 SACRAMENTO STREET](#) – south side between Broderick and Divisadero Streets; Lot 028 in Assessor's Block 1025 (District 2) – Request for **Discretionary Review** of Building Permit No. 2022.0921.2825 to construct a studio dwelling and to construct a two-story vertical addition and a horizontal rear addition to a two-story single-family home 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: Do Not Take Discretionary Review and Approve as Modified*

## 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 [sflanning.org](http://sflanning.org).

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

- ❖ When speaking before the Commission, please note the time. 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, 14th 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](#) 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, 14th 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.

*Table 1- Case types and number of days in which to appeal.*

| 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 (628) 652-1150. 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 of Appeals](#) office at 49 South Van Ness Avenue, Suite 1475 (call in advance for appointment). For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

## 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 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 online](#). 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. The [San Francisco Ethics Commission](#) has more information about this restriction.

## 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, by phone (415) 252-3100 or fax (415) 252-3112.