


# 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, July 18, 2024**  
**12:00 p.m.**  
**Regular Meeting**

#### **Commissioners**

Sue Diamond, President  
Kathrin Moore, Vice-President  
Derek Braun, Theresa Imperial,  
Joel Koppel, Lydia So, Gilbert Williams

#### **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 [sotf@sfgov.org](mailto:sotf@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: Sue Diamond  
 Vice-President: Kathrin Moore  
 Commissioners: Derek Braun, Theresa Imperial, Joel Koppel,  
 Lydia So, Gilbert Williams

**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.

- 1a. 2023-003652CUA (M. MATHUR: (628) 652-7355)  
3901 NORIEGA STREET – southwest corner of 46th Avenue; Lot 001 in Assessor’s Block 2083 (District 4) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 710, to allow expansion of the existing restaurant use (d.b.a. The Pizza Place on Noriega) into the adjacent storefronts and beyond the permitted use size of 2,999 square feet within an existing one-story commercial building in a NC-1 (Neighborhood Commercial) 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 June 6, 2024)  
**(Proposed for Continuance to August 1, 2024)**

- 1b. 2023-003652VAR (M. MATHUR: (628) 652-7355)  
3901 NORIEGA STREET – southwest corner of 46th Avenue; Lot 001 in Assessor’s Block 2083 (District 4) – Request for **Variance** from rear yard requirements of Planning Code Section 134 to legalize four accessory structures in the required rear yard within an existing one-story commercial building in a NC-1 (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District.  
 (Continued from Regular hearing on June 6, 2024)  
**(Proposed for Continuance to August 1, 2024)**

**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. 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.

- 2a. [2020-005610ENX-02](#) (M. GIACOMUCCI: (628) 652-7414)  
490 BRANNAN STREET – northeast corner of Fourth Street; Lot 025 in Assessor’s Block 3776 (District 6) – Request to extend validity and expiration periods of a previously approved project for a term of three years for **Large Project Authorization** pursuant to Planning Code Sections 249.78 and 329 with exceptions from the following development standards: Building Setback and Streetwall Articulation (Planning Code Section 132.4); POPOS Design Standards (Planning Code Section 138); Wind Controls (Planning Code Section 249.78); Mid-Block Alley Controls (Planning Code Section 261.1); and Central SoMa Bulk Controls (Planning Code Section 270). The Project has not changed since it was approved by the Planning Commission on September 9, 2021, through Motion No. 20987. The Project consists of demolition of a one-story commercial building and new construction of a new, approximately 355,630 gross square foot (gsf), 185-foot-tall building containing Office (269,296 gsf); Production, Distribution, and Repair (12,506 gsf); Child Care (5,391 gsf); and Retail (3,272 gsf) uses. The Project also includes 24 off-street parking spaces, six off-street loading spaces, and a total of 86 bicycle parking spaces, as well as a 5,602 sf Privately Owned Public Open Space (POPOS). The Project Site is identified as a “Key Site” in the Central SoMa Area Plan and will provide community arts PDR space at 60% of comparable market rent for

no less than 30 years as a qualified amenity. The Project is located within a CMUO (Central Soma-Mixed Use Office) Zoning District and 200-CS Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*

(Continued from Canceled hearing on July 11, 2024)

- 2b. [2020-005610VAR-02](#) (M. GIACOMUCCI: (628) 652-7414)  
490 BRANNAN STREET – northeast corner of Fourth Street; Lot 025 in Assessor’s Block 3776 (District 6) – Request for **Variance** from Planning Code requirements for Entrances to Off-Street Parking and Loading (Planning Code Section 145.1) and Ground Floor Height (Planning Code Sections 145.1 and 249.78) as part of a project consisting of demolition of a one-story commercial building and new construction of a new, approximately 355,630 gross square foot (gsf), 185-foot tall building containing Office (269,296 gsf); Production, Distribution, and Repair (12,506 gsf); Child Care (5,391 gsf); and Retail (3,272 gsf) uses. The Project also includes 24 off-street parking spaces, six off-street loading spaces, and a total of 86 bicycle parking spaces, as well as a 5,602 sf Privately Owned Public Open Space (POPOS). The Project Site is identified as a “Key Site” in the Central SoMa Area Plan and will provide community arts PDR space at 60% of comparable market rent for no less than 30 years as a qualified amenity. The Project is located within a CMUO (Central Soma-Mixed Use Office) Zoning District and 200-CS Height and Bulk District.  
(Continued from Canceled hearing on July 11, 2024)
3. [2024-002153CUA](#) (M. LANGLEIE: (628) 652-7410)  
1241 STOCKTON STREET – west side between Broadway and Pacific Avenue; Lot 003 in Assessor’s Block 0160 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 178, 303, 303.1 and 812 to establish a Formula Retail Use (d.b.a. Cathay Bank) within a vacant 4,200 square foot commercial space located within the CRNC (Chinatown Residential Neighborhood Commercial District) Zoning District and 65-85-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*  
(Continued from Canceled hearing on July 11, 2024)
4. [2024-004182CUA](#) (M. LANGLEIE: (628) 652-7410)  
240 LOMBARD STREET, #834 – southwest corner of Montgomery Street; Lot 185 in Assessor’s Block 0060 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 209.1, and 303 to classify the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit proposed for ILO classification will remain a dwelling unit. The subject property is located within a C-2 (Community Business) Zoning District and 84-E Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*  
(Continued from Canceled hearing on July 11, 2024)
5. [2022-007408CUA](#) (J. DACEY: (628) 652-7415)  
400 GROVE STREET, UNIT 203 – northwest corner of Gough Street; Lot 114 in Assessor’s Block 0793 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.10, 303 and 752, to classify the subject property as an Intermediate Length Occupancy (ILO) unit. Classification as an ILO unit allows a dwelling unit to be offered for occupancy for an initial stay with a duration of greater than 30 days but less than one year (365 days). ILO units are a use characteristic. The unit proposed for ILO classification will remain a dwelling unit. The subject property is located within a NCT-3 (Neighborhood Commercial Transit, Moderate-Scale) Zoning District and 40-X/50-X Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*  
(Continued from Canceled hearing on July 11, 2024)

6. [2024-002146CUA](#) (J. HORN: (628) 652-7366)  
**2001 UNION STREET** – southwest corner of intersection of Buchanan Street; Lot 024 in Assessor's Block 0541 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 725 to expand an existing Health Services use (d.b.a. Marina Tooth Fairy Dental) to a located on the fifth floor of the subject property within the Union Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District Neighborhood Commercial 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 Canceled hearing on July 11, 2024)
7. [2024-004645CUA](#) (J. VIMR: (628) 652-7319)  
**950 GRANT AVENUE** – east side between Jackson and Washington Streets, a through-lot with rear frontage along Wentworth Place; Lots 020 and 035 in Assessor's Block 0194 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 811 to establish a Public Facilities use occupying an approximately 4,200 portion of the existing mixed-use building located within the Chinatown Visitor Retail Zoning District and 50-N Height and Bulk District. This would allow for the temporary relocation of the Chinatown Library Branch so that it may continue to operate while the existing library structure undergoes capital improvements. 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*
8. [2024-002372CUA](#) (J. KRAN: (628) 652-7429)  
**3322 FILLMORE STREET** – east side between Chestnut Street and Lombard Street; Lot 033 in Assessor's Block 0492 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, and 712 to establish a Formula Retail Use (d.b.a. Hot 8 Yoga) within an existing one-story commercial building, located in the NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, the 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). 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\(h\)](#). The proposed hours of operation are from 6:30 AM to 9:00 PM Monday through Thursday, 6:30 AM to 7:30 PM on Friday, and 7:30 AM to 7:00PM on Saturdays and Sundays.  
*Preliminary Recommendation: Approve with Conditions*
9. [2016-004403CUA](#) (C. ALEXANDER: (628) 652-7334)  
**2222 BROADWAY** – northwest corner of Webster Street; Lot 070 in Assessor's Block 0564 (District 2) – **Informational Presentation** as required in Motion No. 20518 under Condition of Approval No. 16 for the Schools of the Sacred Heart Broadway campus. A Conditional Use Authorization approved by the Commission on September 12, 2019, for this project authorized phased student enrollment increases every academic year through the 2024-2025 enrollment while also calling for an informational update prior to the 2024-2025 academic year enrollment to inform the public of any modifications to the school's transportation management policies.  
*Preliminary Recommendation: None - Informational*

## C. COMMISSION MATTERS

10. LAND ACKNOWLEDGEMENT
11. CONSIDERATION OF ADOPTION:
- [Draft Minutes for June 13, 2024](#)
  - [Draft Minutes for June 20, 2024](#)

## 12. 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

## 13. DIRECTOR'S ANNOUNCEMENTS

## 14. 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. 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.

15. [2024-004321PCAMAP](#) (V. FLORES: (628) 652-7525)  
**ESTABLISHING THE 555 9TH STREET SPECIAL SIGN DISTRICT – Planning Code and Zoning Map Amendments** – An ordinance, sponsored by Supervisor Dorsey, to amend the Planning Code and Zoning Map to establish the 555 9th Street Special Sign District encompassing the real property consisting of Assessor's Parcel Block No. 3781, Lot No. 003, and to modify sign controls for the existing shopping center; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
*Preliminary Recommendation: Approve*
16. [2023-008546CUA](#) (K. AGNIHOTRI: (628) 652-7454)  
**3433 3RD STREET** – southwest corner of Cargo Way; Lot 083 in Assessor's Block 5203 (District 10) – Request for **Conditional Use Authorization** of a Planned Unit Development (PUD) on a site that is over one-half acre to construct a new 16,200 square-foot Office Use pursuant to Planning Code Sections 210.3, 249.42, 303 and 304, to allow the new construction of the two-story office building and to modify the front setback and landscape requirement as part of the Project. The project would dedicate 8,800 gsf to office space and 7,400 gsf to the assembly hall, for the United Brotherhood Of Carpenters and Joiners of America Local Union 22 ("Local 22") headquarters, along with 30 vehicular surface parking spaces, 10 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces within a PDR -2 (Production, Distribution And Repair – Core) Zoning District, India Basin Industrial Park SUD (Special Use District) and 65-J Height and Bulk District.  
*Preliminary Recommendation: Approve with Conditions*
17. [2023-010843CUA](#) (J. DACEY: (628) 652-7415)  
**3756 22ND STREET** –north side between Noe and Sanchez Streets; Lot 021 in Assessor's Block 3621 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.92 and 303, to legalize the excavation at the basement and first floor levels for a horizontal rear addition to an existing 3,405 square foot single-family dwelling within a RH-2 (Residential- House, Two Family) Zoning District, Central Neighborhoods Large Residence 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 [sfplanning.org](http://sfplanning.org).

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

Assembly Bill 1114 regulates review of post entitlement phase permits. Post entitlement phase permits include building permits for housing development projects (construction of one unit or more). Post entitlement phase permits may not be appealed unless the appeal is filed by the applicant.

## 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.