

File No. 180423 Committee Item No. 2
 Board Item No. 26

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date June 11, 2018

Board of Supervisors Meeting Date JUNE 26, 2018
 Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
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Completed by: Erica Major Date June 7, 2018
 Completed by: Erica Major Date 6/14/18

1 [Planning Code - Review for Downtown and Affordable Housing Projects; Notification
2 Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts.]

3 **Ordinance amending the Planning Code to streamline affordable housing project**
4 **review by eliminating a Planning Commission Discretionary Review hearing for 100%**
5 **affordable housing projects upon delegation by the Planning Commission; to provide**
6 **for Planning Department review of large projects located in C-3 Districts and for certain**
7 **minor alterations to Historical Landmarks and in Conservation Districts; to consolidate,**
8 **standardize and streamline notification requirements and procedures, including**
9 **required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and**
10 **affirming the Planning Department's determination under the California Environmental**
11 **Quality Act, making findings of consistency with the General Plan and the eight priority**
12 **policies of Planning Code, Section 101.1, and adopting findings of public necessity,**
13 **convenience, and welfare under Planning Code, Section 302.**

14 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
15 **Additions to Codes** are in *single-underline italics Times New Roman font*.
16 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
17 **Board amendment additions** are in double-underlined Arial font.
18 **Board amendment deletions** are in ~~strikethrough Arial font~~.
19 **Asterisks (* * * *)** indicate the omission of unchanged Code
20 subsections or parts of tables.

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. General Findings.

23 (a) The Planning Department has determined that the actions contemplated in this
24 ordinance comply with the California Environmental Quality Act (California Public Resources
25 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

1 Supervisors in File No. 180423 and is incorporated herein by reference. The Board affirms
2 this determination.

3 (b) On June 7, 2018, the Planning Commission, in Resolution No. 20198, adopted
4 findings that the actions contemplated in this ordinance are consistent, on balance, with the
5 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
6 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
7 Board of Supervisors in File No. 180423, and is incorporated herein by reference.

8 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
9 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
10 in Planning Commission Resolution No. 20198 and the Board incorporates such reasons
11 herein by reference. A copy of said Resolution is on file with the Board of Supervisors in File
12 No. 180423.

13 Section 2. Findings about City Approval and Notification Processes.

14 (a) The housing crisis in San Francisco is acute with more than 140,000 jobs added
15 since the Great Recession and approximately 27,000 housing units approved. The median
16 single-family home price in San Francisco has reached an all-time high of \$1.6 million in the
17 first quarter of 2018, affordable to only 12 percent of San Francisco households. The average
18 rent for a one bedroom apartment in San Francisco in the same quarter is \$3,281, affordable
19 to less than one-third of San Francisco households.

20 (b) Mayor Edwin M. Lee's Executive Directive 17-02 -- "Keeping up the Pace of
21 Housing Production" -- called on City departments to reduce project approval timelines by half
22 and come up with process improvement plans and measures to allocate staff and resources
23 to meet these goals.

1 (c) The Planning Department Process Improvements Plan on December 1, 2017
2 recommended a number of internal procedure changes and Planning Code amendments to
3 achieve the goals of Executive Directive 17-02.

4 (d) Ordinance No. 7-16, "Affordable Housing Review Process," established Section
5 315, Affordable Housing Project Authorization, which stipulated that an Affordable Housing
6 Project would be a principally permitted use and would not require conditional use
7 authorization or a Planning Commission hearing.

8 (e) Ordinance No. 46-96 enacted Section 311 of the Planning Code to establish
9 procedures for reviewing building permit applications for lots in "R" districts in order to
10 determine compatibility of the proposal with the neighborhood and for providing notice to
11 property owners and residents neighboring the site of the proposed project.

12 (f) Ordinance No. 46-96 and 279-00 established the importance of notifying property
13 owners as well as tenants of proposed projects within a 150-foot radius of their home or
14 property.

15 (g) Ordinance No. 27-15 established Language Access Requirements for Departments
16 to serve the more than 10,000 Limited English Persons residing in San Francisco encouraging
17 multilingual translation services for public notifications to be as widely available as possible.

18 (h) Newspaper circulation is down and digital media consumption is up. Even among
19 paying subscribers of newspapers, minority populations are more likely to utilize digital media
20 over print media. The official newspaper of the City and County of San Francisco has print
21 delivery of 561,004 on Sundays and 841,924 unique page views of their website.

22 (i) The Planning Department was responsible for reviewing over 11,000 building permit
23 applications and development applications in 2017.
24
25

1 (j) Current notification procedures required the production and mailing of over 600,000
2 pieces of paper, or 3 tons, in 2017 alone, at a cost of over \$250,000 with an additional
3 \$70,000 spent annually on newspaper advertisements.

4 (k) The Planning Code currently sets forth more than 30 unique combinations of
5 notification requirements. These varied notification requirements and redundant procedures
6 are confusing, and amount to an inefficient use of staff time and public resources that would
7 be better spent on reviewing permits and projects to add housing stock to San Francisco's
8 housing supply and provide more meaningful public notification.

9
10 Section 3. The Planning Code is hereby amended by revising Sections 206.4, 309, and
11 315; adding new Section 315.1; and deleting Section 328, to read as follows:

12
13 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

14 * * * *

15 (c) **Development Bonuses.** A 100 Percent Affordable Housing Bonus Project shall, at
16 the project sponsor's request, receive any or all of the following:

17 (1) **Priority Processing.** 100 Percent Affordable Housing Bonus Projects shall
18 receive Priority Processing.

19 (2) **Form Based Density.** Notwithstanding any zoning designation to the
20 contrary, density of the 100 Percent Affordable Housing Bonus Project shall not be limited by
21 lot area but rather by the applicable requirements and limitations set forth elsewhere in this
22 Code. Such requirements and limitations include, but are not limited to, height, including any
23 additional height allowed by subsection (c) herein, Bulk, Setbacks, Open Space, Exposure
24 and unit mix as well as applicable design guidelines, elements and area plans of the General
25 Plan and design review, including consistency with the Affordable Housing Bonus Program

1 Design Guidelines, referenced in Section ~~328~~ 315.1, as determined by the Planning
2 Department.

3 (3) **Height.** 100 Percent Affordable Housing Bonus Projects shall be allowed
4 up to 30 additional feet, not including allowed exceptions per Section 260(b), above the
5 property's height district limit in order to provide three additional stories of residential use. This
6 additional height may only be used to provide up to three additional 10-foot stories to the
7 project, or one additional story of not more than 10 feet in height.

8 (4) **Ground Floor Ceiling Height.** In addition to the permitted height allowed
9 under subsection (c)(3), 100 Percent Affordable Housing Bonus Projects with active ground
10 floors as defined in Section 145.1(b)(2) shall receive one additional foot of height, up to a
11 maximum of an additional five feet at the ground floor, exclusively to provide a minimum 14-
12 foot (floor to ceiling) ground floor ceiling height.

13 (5) **Zoning Modifications.** 100 Percent Affordable Housing Bonus Projects
14 may select any or all of the following zoning modifications:

15 (A) **Rear Yard:** The required rear yard per Section 134 or any applicable
16 special use district may be reduced to no less than 20% of the lot depth or 15 feet, whichever
17 is greater. Corner properties may provide 20% of the lot area at the interior corner of the
18 property to meet the minimum rear yard requirement, provided that each horizontal dimension
19 of the open area is a minimum of 15 feet; and that the open area is wholly or partially
20 contiguous to the existing midblock open space, if any, formed by the rear yards of adjacent
21 properties.

22 (B) **Dwelling Unit Exposure:** The dwelling unit exposure requirements
23 of Section 140(a)(2) may be satisfied through qualifying windows facing an unobstructed open
24 area that is no less than 15 feet in every horizontal dimension, and such open area is not
25 required to expand in every horizontal dimension at each subsequent floor.

1 (C) **Off Street Loading:** No off-street loading spaces under Section
2 152.

3 (D) **Automobile Parking:** Up to a 100% reduction in the minimum off-
4 street residential and commercial automobile parking requirement under Article 1.5 of this
5 Code.

6 (E) **Open Space:** Up to a 10% reduction in common open space
7 requirements if required by Section 135, but no less than 36 square feet of open space per
8 unit.

9 (F) **Inner Courts as Open Space:** In order for an inner court to qualify
10 as useable common open space, Section 135(g)(2) requires it to be at least 20 feet in every
11 horizontal dimension, and for the height of the walls and projections above the court on at
12 least three sides (or 75% of the perimeter, whichever is greater) to be no higher than one foot
13 for each foot that such point is horizontally distant from the opposite side of the clear space in
14 the court. 100 Percent Affordable Housing Bonus Projects may instead provide an inner court
15 that is at least 25 feet in every horizontal dimension, with no restriction on the heights of
16 adjacent walls. All area within such an inner court shall qualify as common open space under
17 Section 135.

18 (d) **Implementation.**

19 (1) **Application.** The following procedures shall govern the processing of a
20 request for a project to qualify under the 100 Percent Affordable Housing Bonus Program.

21 (A) An application to participate in the 100 Percent Affordable Housing
22 Bonus Program shall be submitted with the first application for approval of a Housing Project
23 and processed concurrently with all other applications required for the Housing Project. The
24 application shall be submitted on a form prescribed by the City and shall include at least the
25 following information:

1 (i) A full plan set including a site plan, elevations, sections and
2 floor plans, showing the total number of units, unit sizes and planned affordability levels and
3 any applicable funding sources;

4 (ii) The requested development bonuses from those listed in
5 subsection (c);

6 (iii) Unit size and distribution of multi-bedroom units:

7 (iv) Documentation that the applicant has provided written
8 notification to all existing commercial tenants that the applicant intends to develop the
9 property pursuant to this section 206.4. Any affected commercial tenants shall be given
10 priority processing similar to the Department's Community Business Priority Processing
11 Program, as adopted by the Planning Commission on February 12, 2015 under Resolution
12 Number 19323 to support relocation of such business in concert with access to relevant local
13 business support programs. In no case may an applicant receive a site permit or any
14 demolition permit prior to 18 months from the date of written notification required by this
15 subsection 206.4(d)(1)(B); and

16 (v) Documentation that the applicant shall comply with any
17 applicable provisions of the State Relocation Law or Federal Uniform Relocation Act when a
18 parcel includes existing commercial tenants.

19 (2) **Conditions.** Entitlements of 100 Percent Affordable Housing Bonus Projects
20 approved under this Section shall be valid for 10 years from the date of *Planning Commission or*
21 *Planning Department* approval.

22 ~~(3) **Notice and Hearing.** 100 Percent Affordable Housing Bonus Projects shall comply~~
23 ~~with Section 328 for review and approval.~~

1 (34) **Controls.** Notwithstanding any other provision of this Code, no conditional
2 use authorization shall be required for a 100 Percent Affordable Housing Bonus Project,
3 unless such conditional use requirement was adopted by the voters.
4

5 **SEC. 309. PERMIT REVIEW IN C-3 DISTRICTS.**

6 The provisions and procedures set forth in this Section shall govern the review of
7 project authorization and building and site permit applications for (1) the construction or
8 substantial alteration of structures in C-3 Districts, (2) the granting of exceptions to certain
9 requirements of this Code where the provisions of this Section are invoked, and (3) the
10 approval of open space and streetscape requirements of the Planning Code. When any action
11 authorized by this Section is taken, any determination with respect to the proposed project
12 required or authorized pursuant to CEQA may also be considered. This Section shall not
13 require additional review in connection with a site or building permit application if review
14 hereunder was completed with respect to the same proposed structure or alteration in
15 connection with a project authorization application pursuant to Section 322.

16 (a) **Exceptions.** Exceptions to the following provisions of this Code may be granted
17 as provided in the code sections referred to below:

18 (1) Exceptions to the setback, streetwall, tower separation, and rear yard
19 requirements as permitted in Sections 132.1 and 134(d);

20 (2) Exceptions to the ground-level wind current requirements as permitted in
21 Section 148;

22 (3) Exceptions to the sunlight to public sidewalk requirement as permitted in
23 Section 146;

24 (4) Exceptions to the limitation on curb cuts for parking access as permitted in
25 Section 155(r);

1 (5) Exceptions to the limitations on above-grade residential accessory parking
2 as permitted in Section 155(s);

3 (6) Exceptions to the freight loading and service vehicle space requirements as
4 permitted in Section 161(f);

5 (7) Exceptions to the off-street tour bus loading space requirements as
6 permitted in Section 162;

7 (8) Exceptions to the use requirements in the C-3-O (SD) Commercial Special
8 Use Subdistrict in Section 248;

9 (9) Exceptions to the height limits for buildings taller than 550 feet in height in
10 the S-2 Bulk District for allowance of non-occupied architectural, screening, and rooftop
11 elements that meet the criteria of Section 260(b)(1)(M);

12 (10) Exceptions to the volumetric limitations for roof enclosures and screens as
13 prescribed in Section 260(b)(1)(F). For existing buildings, exceptions to the volumetric
14 limitations for roof enclosures and screens shall be granted only if all rooftop equipment that is
15 unused or permanently out of operation is removed from the building;

16 (11) Exceptions to the height limits for vertical extensions as permitted in
17 Section 260(b)(1)(G) and for upper tower extensions as permitted in Section 263.9;

18 (12) Exceptions to the height limits in the 80-130F and 80-130X Height and
19 Bulk Districts as permitted in Section 263.8 and in the 200-400S Height and Bulk District as
20 permitted in Section 263.10;

21 (13) Exceptions to the bulk requirements as permitted in Sections 270 and 272.

22 (14) Exceptions to the exposure requirements as permitted in Section 140.

23 (15) Exceptions to the usable open space requirements as permitted in Section 135.

24 * * * *

1 (d) **Notice of Proposed Approval for Projects that do not require Public Hearing.** *If an*
2 *application does not require a Planning Commission hearing pursuant to Subsection 309(e)(1) below,*
3 *the application or building or site permit may be reviewed and approved administratively. At the*
4 *determination of the Planning Director, applications for especially significant scopes of work may be*
5 *subject to the notification requirements of Section 333 of this Code. If a request for Planning*
6 *Commission review is made pursuant to subsection 309(f), the application will be subject to the*
7 *notification and hearing procedures of this Section. If no request for Commission review is made, the*
8 *Zoning Administrator may approve the project administratively. ~~If, after a review of the Application or~~*
9 *~~building or site permit, and (1) the Zoning Administrator determines that an application complies with~~*
10 *~~the provisions of this Code and that no exception is sought as provided in Subsection (a), and (2) the~~*
11 *~~Director of Planning determines that no additional modifications are warranted as provided in~~*
12 *~~Subsection (b), and (3) the project meets the open space and streetscape requirements of the Planning~~*
13 *~~Code or (4) the project sponsor agrees to the modifications as requested by the Director, the Zoning~~*
14 *~~Administrator shall provide notice of the proposed approval of the application by mail to all owners of~~*
15 *~~the property immediately adjacent to the property that is subject of the Application no less than 10 days~~*
16 *~~before final approval, and, in addition, to any person who has requested such notice in writing. If no~~*
17 *~~request for Planning Commission review pursuant to Subsection (g) is made within 10 days of such~~*
18 *~~notice, the Zoning Administrator shall approve the application.~~*

19 (e) **Hearing and Determination of Applications for Exceptions.**

20 (1) **Hearing.** The Planning Commission shall hold a public hearing on ~~an a~~
21 Section 309 application ~~if:~~ for an exception as provided in Subsection (a):

22 (A) The project would result in a net addition of more than 50,000 square feet of
23 gross floor area of space, or

24 (B) The project includes the construction of a new building greater than 75 feet
25 in height (excluding any exceptions permitted per Section 260(b)), or includes a vertical addition to an

1 existing building with a height of 75 feet or less resulting in a total building height greater than 75 feet;
2 or

3 (C) The project would require an exception as provided in Subsection 309(a).

4 (2) **Notice of Hearing.** Notice of such hearing shall be conducted pursuant to
5 the provisions of Section 333 of this Code. mailed not less than 10 days prior to the date of the hearing
6 to the project applicant, to property owners within 300 feet of the project that is the subject of the
7 application, using for this purpose the names and addresses as shown on the citywide Assessment Roll
8 in the Assessor's Office, and to any person who has requested such notice. The notice shall state that
9 the written recommendation of the Director of Planning regarding the request for an exception will be
10 available for public review at the office of the Planning Department.

11 (3) **Decision and Appeal.** The Planning Commission may, after public hearing and
12 after making appropriate findings, approve, disapprove or approve subject to conditions, the
13 application for an exception. The decision of the Planning Commission may be appealed to
14 the Board of Appeals by any person aggrieved within 15 days after the date of the decision by
15 filing a written notice of appeal with that Body, setting forth wherein it is alleged that there was
16 an error in the interpretation of the provisions of this Code or abuse of discretion on the part of
17 the Planning Commission.

18 (4) **Decision on Appeal.** Upon the hearing of an appeal, the Board of Appeals may,
19 subject to the same limitations as are placed on the Planning Commission by Charter or by this Code,
20 approve, disapprove or modify the decision appealed from. If the determination of the Board
21 differs from that of the Commission it shall, in a written decision, specify the error in
22 interpretation or abuse of discretion on the part of the Commission and shall specify in the
23 findings, as part of the written decision, the facts relied upon in arriving at its determination.

24 ~~(f) **Administrative Approval of Design Review.**~~

25 ~~(1) **Recommendations.** If the Director of Planning determines that modifications~~

1 through the imposition of conditions are warranted as provided in Subsection (b), or that the open
2 space requirements or the streetscape requirements of the Planning Code have not been complied with,
3 the matter shall be scheduled for hearing before the Planning Commission. If the Director determines
4 that the open space and streetscape requirements of the Planning Code have been complied with and
5 the applicant does not oppose the imposition of conditions which the Director has determined are
6 warranted, the applicant may waive the right to a hearing before the Planning Commission in writing
7 and agree to the conditions. The Zoning Administrator shall provide notice of the proposed approval of
8 the application according to the notice given for applications governed by Subsection (d), so that any
9 person seeking additional modifications or objecting to the open space or streetscape requirements
10 determination may make such a request for Planning Commission review as provided in Subsection (g).
11 If no request is made within 10 days of such notice, the Zoning Administrator shall approve the
12 application subject to the conditions.

13 —(2) ~~Notice.~~ If the proposed application will be heard by the Planning Commission, notice
14 of such hearing shall be mailed not less than 10 days prior to the hearing to the project applicant, to
15 property owners immediately adjacent to the site of the application using for this purpose the names
16 and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person
17 who has requested such notice. The notice shall state that the Director's written recommendation will
18 be available for public review at the Planning Department.

19 —(3) ~~Commission Action.~~ The Planning Commission may, after public hearing and after
20 making appropriate findings, approve, disapprove or approve subject to conditions applications
21 considered pursuant to Subsection (b) or for compliance with the open space and streetscape
22 requirements of the Planning Code.

23 (g) Planning Commission Review Upon Request.

24 (1) **Requests.** Within 10 days after notice of the proposed Zoning Administrator
25 approval has been given, as provided in Subsection (d), any person may request in writing

1 that the Planning Commission impose additional modifications on the project as provided in
2 §subsection (b) or consider the application for compliance with the open space and
3 streetscape requirements of the Planning Code. The written request shall state why additional
4 modifications should be imposed notwithstanding its compliance with the requirements of this
5 Code and shall identify the policies or objectives that would be promoted by the imposition of
6 conditions, or shall state why the open space and streetscape requirements have not been
7 complied with.

8 (2) **Commission Consideration.** The Planning Commission shall consider at a public
9 hearing each written request for additional modifications and for consideration of the open
10 space and streetscape requirements of the Planning Code compliance and may, by majority
11 vote, direct that a hearing be conducted to consider such modifications or compliance, which
12 hearing may be conducted at the same meeting that the written request is considered and
13 decided. Notice of such hearing shall be ~~mailed to the project applicant, to property owners~~
14 ~~immediately adjacent to the site of the application using for this purpose the names and addresses as~~
15 ~~shown on the Citywide Assessment Roll in the Assessor's Office pursuant to the requirements~~
16 ~~of Section 333 of this Code, provided that mailed notice shall also be provided~~ to any person who
17 has requested such notice, and to any person who has submitted a request for additional
18 requirements. In determining whether to conduct such a hearing, the Planning Commission
19 shall determine whether, based upon a review of the project, reasonable grounds exist
20 justifying a public hearing in order to consider the proposed additional modifications and the
21 open space and streetscape requirements of the Planning Code compliance.

22 (3) **Commission Action.** If the Planning Commission determines to conduct a hearing
23 to consider the imposition of additional modifications or the open space and streetscape
24 requirements compliance, it may, after such hearing and after making appropriate findings,
25 approve, disapprove, or approve subject to conditions the building or site permit or project

1 authorization application. If the Planning Commission determines not to conduct a hearing,
2 the Zoning Administrator shall approve the application subject to any conditions imposed by
3 the Director of Planning to which the applicant has consented.

4 ~~(h) Mandatory Planning Commission Hearing for Projects Over 50,000 Square Feet of~~
5 ~~Gross Floor Area or Over 75 Feet in Height. The Planning Commission shall hold a public hearing~~
6 ~~not otherwise required by this Section on all building and site permit and Section 309 applications for~~
7 ~~projects which will result in a net addition of more than 50,000 square feet of gross floor area of space~~
8 ~~or which will result in a building that is greater than 75 feet in height. Notice of such hearing shall be~~
9 ~~mailed not less than 10 days prior to the date of the hearing to the project applicant, to property~~
10 ~~owners immediately adjacent to the site of the application using for this purpose the names and~~
11 ~~addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who~~
12 ~~has requested such notice.~~

13 * * * *

14
15 **SEC. 315. AFFORDABLE HOUSING PROJECT AUTHORIZATION.**

16 (a) **Purpose.** The purpose of this Section 315 is to ensure that any project where the
17 principal use is affordable housing, defined in subsection (b) as an Affordable Housing
18 Project, is reviewed in coordination with relevant priority processing and design guidelines.

19 (b) **Applicability.** Notwithstanding anything to the contrary contained in this Planning
20 Code, this Section 315 shall apply to any project where the principal use is housing comprised
21 solely of housing that is restricted for a minimum of 55 years as affordable for "persons and
22 families of low or moderate income," as defined in California Health & Safety Code Section
23 50093 (an "Affordable Housing Project"). The Affordable Housing Project shall be considered
24 a principally permitted use and shall comply with the administrative review procedures set
25 forth in this Section and shall not require conditional use authorization or a Planning

1 Commission hearing that otherwise may be required by the Planning Code, provided that the
2 site is not designated as public open space, is not under the jurisdiction of the Recreation and
3 Park Department, is not located in a zoning district that prohibits residential uses, or is not
4 located in an RH zoning district.

5 (1) If a conditional use authorization or other Planning Commission approval is
6 required for provision of parking, where the amount of parking provided exceeds the base
7 amount permitted as accessory in Planning Code Article 1.5, such requirement shall apply.

8 (2) If an Affordable Housing Project proposes demolition or change in use of a
9 general grocery store or movie theatre, this Section shall not apply.

10 (3) If a non-residential use contained in any proposed project would require
11 conditional use authorization, such requirement shall apply unless the non-residential use is
12 accessory to and supportive of the affordable housing on-site.

13 (c) **Review Process.**

14 (1) In lieu of any otherwise required Planning Commission authorization and
15 associated hearing, the Planning Department shall administratively review and evaluate the
16 physical aspects of an Affordable Housing Project and review such projects in coordination
17 with relevant priority processing and design guidelines. The review of an Affordable Housing
18 Project shall be conducted as part of, and incorporated into, a related building permit application or
19 other required project authorizations, and no additional application fee shall be required. An
20 Affordable Housing Project may seek exceptions to Planning Code requirements that may be
21 are available through the Planning Code, including but not limited to sections 253, 303, 304, 309,
22 and 329, without a Planning Commission hearing, and the Planning Department may permit such
23 exceptions if it makes the findings otherwise required by the Planning Code. This includes, but is not
24 limited to, those exceptions permitted through Sections 253, 303, 304, 309, and 329. The Planning
25 Department may grant such exceptions if it makes the findings as required in subsection (c)(2) below.

1 An Affordable Housing Project may seek exceptions from other Code requirements that could otherwise
2 be granted to a Planned Unit Development as set forth in Section 304, irrespective of the zoning district
3 in which the property is located and irrespective of lot size requirements set forth in Section 304, and
4 provided further that conditional use authorization shall not be required.

5 100 Percent Affordable Housing Bonus Projects seeking density bonuses,
6 zoning modifications, or Planning Code exceptions pursuant to Section 206.4 of this Code shall be
7 subject to the provisions and review process pursuant to Section 315.1 of this Code.

8 (2) This administrative review shall be identical in purpose and intent to any
9 Planning Commission review that would otherwise be required by the Planning Code,
10 including but not limited to Sections 253, 303, 304, 309, or 329, but shall not be considered a
11 conditional use authorization. and an Affordable Housing Project may seek the exceptions set forth in
12 the Planning Code. If an Affordable Housing Project would otherwise be subject to such
13 Planning Code provisions, the Planning Department shall consider all the criteria set forth in
14 such Planning Code sections and shall make all required findings in writing when it approves,
15 modifies, conditions, or disapproves an Affordable Housing Project. If the project is seeking
16 exceptions solely as provided in this Section 315, the Department shall only make those required
17 findings set forth in Section 303(c) of this Code.

18 (3) **Decision and Imposition of Conditions.** The Planning Department, after
19 making appropriate findings, may approve, disapprove or approve subject to conditions the
20 Affordable Housing Project and any associated requests for exceptions as part of a related
21 building permit application or other required project authorizations. As part of its review and
22 decision, the Planning Department may impose additional conditions, requirements,
23 modifications, and limitations on a proposed Affordable Housing Project in order to achieve
24 the objectives, policies, and intent of the General Plan or the Planning Code. Such ~~approval or~~

1 ~~disapproval~~determination shall be made in writing and mailed to the project sponsor and
2 individuals or organizations who so request.

3 (4) **Change of Conditions.** Once a project is approved, authorization of a
4 change in any condition previously imposed by the Planning Department shall require
5 approval by the Planning Director subject to the procedures set forth in this Section 315.

6 (5) **Discretionary Review.** As long as the Planning Commission has delegated its
7 authority to the Planning Department to review applications for an Affordable Housing Project, the
8 Planning Commission shall not hold a public hearing for discretionary review of an Affordable
9 Housing Project that is subject to this Section 315. This Section 315 is not intended to alter the
10 procedures for requests for Discretionary Review by the Planning Commission.

11 (d) Appeals. The Planning Department's administrative determination regarding an Affordable
12 Housing Project pursuant to this Section 315 shall be considered part of a related building permit. Any
13 appeal of such determination shall be made through the associated building permit.

14
15 **SEC. 315.1 100 PERCENT AFFORDABLE HOUSING BONUS PROJECT AUTHORIZATION.**

16 (a) Purpose. The purpose of this Section 315.1 is to ensure that all 100 Percent Affordable
17 Housing Bonus projects pursuant to Planning Code Section 206.4 are reviewed in coordination with
18 Priority Processing available for certain projects with 100% affordable housing. While most projects
19 in the 100 Percent Affordable Housing Bonus Program will likely be somewhat larger than their
20 surroundings in order to facilitate higher levels of affordable housing, the Planning Director and
21 Department shall review each project for consistency with the Affordable Housing Bonus Design
22 Guidelines and any other applicable design guidelines, as adopted and periodically amended by the
23 Planning Commission, so that projects respond to their surrounding context, while still meeting the
24 City's affordable housing goals.

1 (b) Applicability. This Section 315.1 applies to all 100 Percent Affordable Housing Bonus
2 Projects that meet the requirements described in Section 206.4.

3 (c) Design Review. The Planning Department shall review and evaluate all physical aspects of
4 a 100 Percent Affordable Housing Bonus Project as follows.

5 (1) The Planning Director may, consistent with the Affordable Housing Bonus Program
6 Design Guidelines and any other applicable design guidelines, make minor modifications to a project
7 to reduce the impacts of a 100 Percent Affordable Housing Bonus Project on surrounding buildings.
8 The Planning Director may also apply the standards of Section 261.1 to bonus floors for all projects on
9 narrow streets and alleys in order to ensure that these streets do not become overshadowed, including
10 potential upper story setbacks, and special consideration for the southern side of East-West streets, and
11 Mid-block passages, as long as such setbacks do not result in a smaller number of residential units.

12 (2) As set forth in subsection (d) below, the Planning Director may also grant minor
13 exceptions to the provisions of this Code. However, such exceptions should only be granted to allow
14 building mass to appropriately shift to respond to surrounding context, and only when such
15 modifications do not substantially reduce or increase the overall building envelope permitted by the
16 Program under Section 206.4. All modifications and exceptions should be consistent with the
17 Affordable Housing Bonus Program Design Guidelines and any other applicable design guidelines. In
18 case of a conflict with other applicable design guidelines, the Affordable Housing Bonus Program
19 Design Guidelines shall prevail.

20 (3) The Planning Director may require these or other modifications or conditions in
21 order to achieve the objectives and policies of the Affordable Housing Bonus Program or the purposes
22 of this Code. This review shall be limited to design issues including the following:

23 (A) whether the bulk and massing of the building is consistent with the
24 Affordable Housing Bonus Design Guidelines.

1 (B) whether building design elements including, but not limited to, architectural
2 treatments, facade design, and building materials, are consistent with the Affordable Housing Bonus
3 Program Design Guidelines and any other applicable design guidelines.

4 (C) whether the design of lower floors, including building setback areas,
5 commercial space, townhouses, entries, utilities, and parking and loading access is consistent with the
6 Affordable Housing Bonus Program Design Guidelines, and any other applicable design guidelines.

7 (D) whether the required streetscape and other public improvements such as
8 tree planting, street furniture, and lighting are consistent with the Better Streets Plan, and any other
9 applicable design guidelines.

10 (d) Exceptions. As a component of the review process under this Section 315.1, the Planning
11 Director may grant minor exceptions to the provisions of this Code as provided below, in addition to
12 the development bonuses granted to the project in Section 206.4(c). Such exceptions, however, should
13 only be granted to allow building mass to appropriately shift to respond to surrounding context, and
14 only when the Planning Director finds that such modifications do not substantially reduce or increase
15 the overall building envelope permitted by the Program under Section 206.4, and the project, with the
16 modifications and exceptions, is consistent with the Affordable Housing Bonus Design Guidelines.
17 These exceptions may include:

18 (1) Exception from residential usable open space requirements per Section 135, or any
19 applicable special use district.

20 (2) Exception from satisfaction of loading requirements per Section 152.1, or any
21 applicable special use district.

22 (3) Exception for rear yards, pursuant to the requirements of Section 134, or any
23 applicable special use district.

24 (4) Exception from dwelling unit exposure requirements of Section 140, or any
25 applicable special use district.

1 (5) Exception from satisfaction of accessory parking requirements per Section 152.1,
2 or any applicable special use district.

3 (6) Where not specified elsewhere in this subsection (d), modification of other Code
4 requirements that could otherwise be modified as a Planned Unit Development (as set forth in Section
5 304), irrespective of the zoning district in which the property is located, and without requiring
6 conditional use authorization.

7 (e) Required Findings. In reviewing any project pursuant to this Section 315.1, the Planning
8 Director shall make the following findings:

9 (1) the use complies with the applicable provisions of this Code and is consistent with
10 the General Plan;

11 (2) the use provides development that is in conformity with the stated purpose of the
12 applicable Use District; and,

13 (3) the use contributes to the City's affordable housing goals as stated in the General
14 Plan.

15 (4) If a 100 Percent Affordable Housing Bonus Project otherwise would require a
16 conditional use authorization due only to (1) a specific land use or (2) a use size limit, the Planning
17 Director shall make all findings and consider all criteria required by this Code for such use or use size
18 as part of this 100 Percent Affordable Housing Bonus Project Authorization and no conditional use
19 authorization shall be required.

20 (f) Decision and Imposition of Conditions. The Planning Director may authorize, disapprove
21 or approve subject to conditions, the project and any associated requests for exceptions and shall make
22 appropriate findings. The Director may impose additional conditions, requirements, modifications, and
23 limitations on a proposed project in order to achieve the objectives, policies, and intent of the General
24 Plan or of this Code. This administrative review shall be identical in purpose and intent to any
25 Planning Commission review that would otherwise be required by Section 206.4 of the Planning Code.

1 (g) Discretionary Review. As long as the Planning Commission has delegated its authority to
2 the Planning Department to review applications for an Affordable Housing Project, the Planning
3 Commission shall not hold a public hearing for discretionary review of a 100 Percent Affordable
4 Housing Bonus project that is subject to this Section.

5 (h) Appeals. The Planning Director's administrative determination regarding a 100 Percent
6 Affordable Housing Bonus Project pursuant to this Section 315.1 shall be considered part of a related
7 building permit. Any appeal of such determination shall be made through the associated building
8 permit.

9
10 **~~SEC. 328. 100 PERCENT AFFORDABLE HOUSING BONUS PROJECT AUTHORIZATION.~~**

11 ~~—(a) Purpose. The purpose of this Section 328 is to ensure that all 100 Percent Affordable~~
12 ~~Housing Bonus projects under Section 206.4 are reviewed in coordination with priority processing~~
13 ~~available for certain projects with 100 Percent affordable housing. While most projects in the 100~~
14 ~~Percent Affordable Housing Bonus Program will likely be somewhat larger than their surroundings in~~
15 ~~order to facilitate higher levels of affordable housing, the Planning Commission and Department shall~~
16 ~~ensure that each project is consistent with the Affordable Housing Bonus Design Guidelines and any~~
17 ~~other applicable design guidelines, as adopted and periodically amended by the Planning Commission,~~
18 ~~so that projects respond to their surrounding context, while still meeting the City's affordable housing~~
19 ~~goals.~~

20 ~~—(b) Applicability. This Section 328 applies to all qualifying 100 Percent Affordable Housing~~
21 ~~Bonus Projects that meet the requirements described in Section 206.4.~~

22 ~~—(c) Planning Commission Design Review. The Planning Commission shall review and~~
23 ~~evaluate all physical aspects of a 100 Percent Affordable Housing Bonus Project at a public hearing.~~
24 ~~The Planning Commission recognizes that most qualifying projects will need to be larger in height and~~
25 ~~mass than surrounding buildings in order to achieve the 100% Affordable Housing Bonus Program's~~

1 ~~affordable housing goals. However, the Planning Commission may, consistent with the Affordable~~
2 ~~Housing Bonus Program Design Guidelines, and any other applicable design guidelines, and upon~~
3 ~~recommendation from the Planning Director, make minor modifications to a project to reduce the~~
4 ~~impacts of such differences in scale. The Planning Commission, upon recommendation of the Planning~~
5 ~~Director, may also apply the standards of Section 261.1 to bonus floors for all projects on narrow~~
6 ~~streets and alleys in order to ensure that these streets do not become overshadowed, including potential~~
7 ~~upper story setbacks, and special consideration for the southern side of East-West streets, and Mid-~~
8 ~~block passages, as long as such setbacks do not result in a smaller number of residential units.~~

9 ~~—Additionally, as set forth in subsection (d) below, the Planning Commission may grant~~
10 ~~minor exceptions to the provisions of this Code. However, such exceptions should only be granted to~~
11 ~~allow building mass to appropriately shift to respond to surrounding context, and only when such~~
12 ~~modifications do not substantially reduce or increase the overall building envelope permitted by the~~
13 ~~Program under Section 206.4. All modifications and exceptions should be consistent with the~~
14 ~~Affordable Housing Bonus Program Design Guidelines and any other applicable design guidelines. In~~
15 ~~case of a conflict with other applicable design guidelines, the Affordable Housing Bonus Program~~
16 ~~Design Guidelines shall prevail.~~

17 ~~—The Planning Commission may require these or other modifications or conditions, or~~
18 ~~disapprove a project, in order to achieve the objectives and policies of the Affordable Housing Bonus~~
19 ~~Programs or the purposes of this Code. This review shall limited to design issues including the~~
20 ~~following:~~

21 ~~—(1) whether the bulk and massing of the building is consistent with the Affordable Housing~~
22 ~~Bonus Design Guidelines.~~

23 ~~—(2) whether building design elements including, but not limited to architectural treatments,~~
24 ~~façade design, and building materials, are consistent with the Affordable Housing Bonus Program~~
25 ~~Design Guidelines and any other applicable design guidelines.~~

1 — (3) ~~whether the design of lower floors, including building setback areas, commercial~~
2 ~~space, townhouses, entries, utilities, and parking and loading access is consistent with the Affordable~~
3 ~~Housing Bonus Program Design Guidelines, and any other applicable design guidelines.~~

4 — (4) ~~whether the required streetscape and other public improvements such as tree planting,~~
5 ~~street furniture, and lighting are consistent with the Better Streets Plan, and any other applicable~~
6 ~~design guidelines.~~

7 — (d) ~~Exceptions. As a component of the review process under this Section 328, the Planning~~
8 ~~Commission may grant minor exceptions to the provisions of this Code as provided for below, in~~
9 ~~addition to the development bonuses granted to the project in Section 206.4(c). Such exceptions,~~
10 ~~however, should only be granted to allow building mass to appropriately shift to respond to~~
11 ~~surrounding context, and only when the Planning Commission finds that such modifications do not~~
12 ~~substantially reduce or increase the overall building envelope permitted by the Program under Section~~
13 ~~206.4, and also are consistent with the Affordable Housing Bonus Design Guidelines. These exceptions~~
14 ~~may include:~~

15 — (1) ~~Exception from residential usable open space requirements per Section 135, or any~~
16 ~~applicable special use district.~~

17 — (2) ~~Exception from satisfaction of loading requirements per Section 152.1, or any~~
18 ~~applicable special use district.~~

19 — (3) ~~Exception for rear yards, pursuant to the requirements of Section 134, or any~~
20 ~~applicable special use district.~~

21 — (4) ~~Exception from dwelling unit exposure requirements of Section 140, or any applicable~~
22 ~~special use district.~~

23 — (5) ~~Exception from satisfaction of accessory parking requirements per Section 152.1, or~~
24 ~~any applicable special use district.~~

1 ~~— (6) Where not specified elsewhere in this subsection (d), modification of other Code~~
2 ~~requirements that could otherwise be modified as a Planned Unit Development (as set forth in Section~~
3 ~~304), irrespective of the zoning district in which the property is located.~~

4 ~~— (e) **Required Findings.** In its review of any project pursuant to this Section 328, the~~
5 ~~Planning Commission shall make the following findings:~~

6 ~~— (1) the use as proposed will comply with the applicable provisions of this Code and is~~
7 ~~consistent with the General Plan;~~

8 ~~— (2) the use as proposed will provide development that is in conformity with the stated~~
9 ~~purpose of the applicable Use District; and,~~

10 ~~— (3) the use as proposed will contribute to the City's affordable housing goals as stated in~~
11 ~~the General Plan.~~

12 ~~— (f) If a 100 Percent Affordable Housing Bonus Project otherwise requires a conditional use~~
13 ~~authorization due only to (1) a specific land use, (2) use size limit, or (3) requirement adopted by the~~
14 ~~voters, then the Planning Commission shall make all findings and consider all criteria required by this~~
15 ~~Code for such use or use size as part of this 100 Percent Affordable Housing Bonus Project~~
16 ~~Authorization.~~

17 ~~— (g) **Hearing and Decision.**~~

18 ~~— (1) **Hearing.** The Planning Commission shall hold a public hearing for all projects that are~~
19 ~~subject to this Section 328.~~

20 ~~— (2) **Notice of Hearing.** Notice of such hearing shall be provided pursuant to the same~~
21 ~~requirements for Conditional Use requests, as set forth in Section 306.3 and 306.8.~~

22 ~~— (3) **Director's Recommendations on Modifications and Exceptions.** At the hearing, the~~
23 ~~Planning Director shall review for the Commission key issues related to the project based on the~~
24 ~~review of the project pursuant to subsection (e) and recommend to the Commission modifications, if~~
25

1 any, to the project and conditions for approval as necessary. The Director shall also make
2 recommendations to the Commission on any proposed exceptions pursuant to subsection (d).

3 ~~—(4) Decision and Imposition of Conditions. The Commission, after public hearing and,
4 after making appropriate findings, may approve, disapprove or approve subject to conditions, the
5 project and any associated requests for exceptions. As part of its review and decision, the Planning
6 Commission may impose additional conditions, requirements, modifications, and limitations on a
7 proposed project in order to achieve the objectives, policies, and intent of the General Plan or of this
8 Code.~~

9 ~~—(5) Appeal. The decision of the Planning Commission may be appealed to the Board of
10 Supervisors by any person aggrieved within 30 days after the date of the decision by filing a written
11 notice of appeal with the Board of Supervisors, setting forth wherein it is alleged that there was an
12 error in the interpretation of the provisions of this Section or abuse of discretion on the part of the
13 Planning Commission. The procedures and requirements for conditional use appeals in Section
14 308.1(b) and (c) shall apply to appeals to the Board of Supervisors under this Section 328.~~

15 ~~—(6) Discretionary Review. No requests for discretionary review shall be accepted by the
16 Planning Department or heard by the Planning Commission for projects subject to this Section.~~

17 ~~—(7) Change of Conditions. Once a project is approved, authorization of a change in any
18 condition previously imposed by the Planning Commission shall require approval by the Planning
19 Commission subject to the procedures set forth in this Section.~~

20
21 Section 4. The Planning Code is hereby amended by revising Sections 202.5, 302,
22 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4;
23 deleting Sections 306.10 and 312; and adding new Section 333 to read as follows:
24

25 **SEC 202.5. CONVERSION OF AUTOMOTIVE SERVICE STATIONS.**

1 * * * *

2 (e) **Criteria for Zoning Administrator Conversion Determination.** The Zoning
3 Administrator shall approve the application and authorize the service station conversion if the
4 Zoning Administrator determines from the facts presented that the owner of the subject
5 property is not earning a Fair Return on Investment, as defined in Section 102. The owner
6 shall bear the burden of proving that the owner is not earning a Fair Return on Investment.

7 (1) **Application.** A property owner's application under this Section shall be
8 signed by the owner or an authorized representative of the owner and, under penalty of
9 perjury, declared to contain true and correct information. The application shall be
10 accompanied by:

11 (A) An independent appraisal of the property stating its value;

12 (B) A written statement from an independent Certified Public Accountant
13 summarizing the applicant's financial records, including the property appraisal and stating the
14 return on investment calculated pursuant to Section 102;

15 (C) A certified statement from the Certified Public Accountant identifying
16 the owner of the property and the owner of the service station business;

17 (D) Such other financial information as the Zoning Administrator may
18 reasonably determine is necessary to make the determination provided for in this Section.

19 (2) **Rebuttable Presumption.** There shall be a rebuttable presumption that the
20 property owner is earning a Fair Return on Investment if the property owner has earned at
21 least a ~~nine percent~~ 9% return on the property owner's total investment in the property for the
22 24-month period immediately preceding the filing of the application, or in the case of a service
23 station business that ceased operations after October 12, 1989, for the 24-month period
24 immediately preceding the date the service station ceased operations. The property owner
25 may rebut this presumption by offering evidence demonstrating that because of special facts

1 regarding his or her property the property owner is not earning a Fair Return on Investment or
2 that because of special demonstrated circumstances the applicant would not earn a fair return
3 on investment from service station use during that 12-month period after the filing of the
4 service station conversion application.

5 (3) **Notice of Hearing.** Prior to conducting the hearing required by ~~§~~subsection
6 (c)(1), the Zoning Administrator shall provide ~~written notice~~ public notification of the hearing
7 pursuant to the requirements of Section 333 of this Code. to each property owner within 300 feet in
8 every direction from the service station, as shown in the last equalized assessment roll, such notice to
9 be mailed at least 10 days before the hearing. The applicant also shall provide posted notice in a
10 visible location on the service station site at least 20 days before the hearing.

11 (4) **Determination.** The Zoning Administrator shall render written determination
12 within 60 days of the hearing.

13 (5) **Consultation With Other City Departments.** If necessary, the Zoning
14 Administrator shall have the authority to consult with or retain the assistance of the staffs of
15 the Department of Public Works, Real Estate Department, and Mayor's Office of Workforce
16 and Economic Development in the review of applications for service station conversion.

17 * * * *

18
19 **SEC. 302. PLANNING CODE AMENDMENTS.**

20 (a) **General.** Whenever the public necessity, convenience and general welfare
21 require, the Board of Supervisors may, by ordinance, amend any part of this Code. Such
22 amendments may include reclassifications of property (changes in the Zoning Map), changes
23 in the text of the Code, or establishment, abolition or modification of a setback line. The
24 procedures for amendments to the Planning Code shall be as specified in this Section and in
25 Sections 306 through 306.6, *and in Section 333.*

1 * * * *

2 (d) **Referral of Proposed Text Amendments to the Planning Code Back to**
3 **Planning Commission.** In acting upon any proposed amendment to the text of the Code, the
4 Board of Supervisors may modify said amendment but shall not take final action upon any
5 material modification that has not been approved or disapproved by the Planning
6 Commission. Should the Board adopt a motion proposing to modify the amendment while it is
7 before said Board, said amendment and the motion proposing modification shall be referred
8 back to the Planning Commission for its consideration. In all such cases of referral back, the
9 amendment and the proposed modification shall be heard by the Planning Commission
10 according to the requirements for a new proposal, except that *newspaper online* notice required
11 under Section ~~306.3333~~ need be given only 10 days prior to the date of the hearing. The
12 motion proposing modification shall refer to, and incorporate by reference, a proposed
13 amendment approved by the City Attorney as to form.

14
15 **SEC. 303. CONDITIONAL USES.**

16 * * * *

17 (f) **Conditional Use Abatement.** The Planning Commission may consider the
18 possible revocation of a Conditional Use or the possible modification of or placement of
19 additional conditions on a Conditional Use when the Planning Commission determines, based
20 upon substantial evidence, that the applicant for the Conditional Use had submitted false or
21 misleading information in the application process that could have reasonably had a substantial
22 effect upon the decision of the Commission or the Conditional Use is not in compliance with a
23 Condition of Approval, is in violation of law if the violation is within the subject matter
24 jurisdiction of the Planning Commission, or operates in such a manner as to create
25 hazardous, noxious, or offensive conditions enumerated in Section 202(c) if the violation is

1 within the subject matter jurisdiction of the Planning Commission and these circumstances
2 have not been abated through administrative action of the Director, the Zoning Administrator
3 or other City authority. Such consideration shall be the subject of a public hearing before the
4 Planning Commission but no fee shall be required of the applicant or the subject Conditional
5 Use operator.

6 (1) **Public Hearing.** The Director of Planning or the Planning Commission may
7 schedule a public hearing on Conditional Use abatement when the Director or Commission
8 has obtained or received (A) substantial evidence submitted within one year of the effective
9 date of the Conditional Use authorization that the applicant for the Conditional Use had
10 submitted false or misleading information in the application process that could have
11 reasonably had a substantial effect upon the decision of the Commission or (B) substantial
12 evidence, submitted or received at any time while the Conditional Use authorization is
13 effective, of a violation of conditions of approval, a violation of law, or operation which creates
14 hazardous, noxious or offensive conditions enumerated in Section 202(c).

15 (2) **Notification.** The notice for the public hearing on a Conditional Use
16 abatement shall be subject to the notification procedure described in Sections 306.3 and 306.8
17 333 of this Code. ~~except that notice to the property owner and the operator of the subject~~
18 ~~establishment or use shall be mailed by regular and certified mail.~~

19 * * * *

20 **SEC 303.1 FORMULA RETAIL USES.**

21 * * * *

22 (g) **Neighborhood Notification and Design Review.** Any application for a Formula
23 Retail use as defined in this section shall be subject to the notification and review procedures
24 of ~~subsections 312(d) and (e)~~ Section 333 of this Code. ~~A Conditional Use hearing on an application~~
25 ~~for a Formula Retail use may not be held less than 30 calendar days after the date of mailed notice.~~

1 * * * *

2 **SEC. 305.1 REQUESTS FOR REASONABLE MODIFICATION – RESIDENTIAL USES.**

3 * * * *

4 (e) **All Other Requests for Reasonable Modification – Zoning Administrator**
5 **Review and Approval.**

6 (1) **Standard Variance Procedure – With Hearing.** Requests for reasonable
7 modifications that do not fall within §subsection (d) shall be considered by the Zoning
8 Administrator, who will make the final decision through the existing variance process
9 described in Section 305.

10 (2) **Public Notice of a Request for Reasonable Modification.** Notice for
11 reasonable modifications that fall with subsection (e)(1) are subject to the notice requirements
12 of Section ~~306-333~~ of this Code. If the request for reasonable modification is part of a larger
13 application, then the noticing can be combined.

14 * * * *

15
16 **SEC 306.3. NOTICE OF HEARINGS.**

17 (a) Except as indicated in subsection (b) below, notice of the time, place and purpose
18 of the hearing on action for an amendment to the Planning Code or General Plan, Conditional
19 Use or a Variance shall be given by the Zoning Administrator pursuant to the requirements of
20 Section 333 of this Code as follows:

- 21 ~~———— (1) By mail to the applicant or other person or agency initiating the action;~~
22 ~~———— (2) By mail, except in the case of proposed amendments to change the text of the Code,~~
23 ~~not less than 20 days prior to the date of the hearing to the owners of all real property within the area~~
24 ~~that is the subject of the action and within 300 feet of all exterior boundaries of such area, using for~~
25 ~~this purpose the names and addresses of the owners as shown on the latest citywide assessment roll in~~

1 ~~the Office of the Tax Collector. Failure to send notice by mail to any such property owner where the~~
2 ~~address of such owner is not shown on such assessment roll shall not invalidate any proceedings in~~
3 ~~connection with such action;~~

4 ~~_____ (3) By publication, except in Variance cases, at least once in a newspaper of general~~
5 ~~circulation in the City not less than 20 days prior to the date of the hearing;~~

6 ~~_____ (4) Such other notice as the Zoning Administrator shall deem appropriate.~~

7 (b) In the case of Variance applications involving a less than 10% deviation as
8 described in Section 305(c), the Zoning Administrator need give only such notice as the
9 Zoning Administrator deems appropriate in cases in which a hearing is actually held.

10 ~~(2) In the case of amendments to reclassify land on the basis of general zoning studies~~
11 ~~for one or more zoning districts, which studies either are citywide in scope or cover a major subarea of~~
12 ~~the City, as determined by the Planning Commission, and where the total area of land so proposed for~~
13 ~~reclassification, excluding the area of public streets and alleys, is 30 acres or more, the notice given~~
14 ~~shall be as described in Subsection (a) above, except that:~~

15 ~~_____ (A) The newspaper notice shall be published as an advertisement in all editions of such~~
16 ~~newspaper, and need contain only the time and place of the hearing and a description of the general~~
17 ~~nature of the proposed amendment together with a map of the area proposed for reclassification.~~

18 ~~_____ (B) The notice by mail need contain only the time and place of the hearing and a~~
19 ~~general description of the boundaries of the area proposed for reclassification.~~

20 ~~_____ (3) In the case of amending the General Plan, notice shall be given by an~~
21 ~~advertisement at least once in a newspaper of general circulation in the City not less than 20 days prior~~
22 ~~to the hearing. The advertisement shall contain the time and place of the hearing and a description of~~
23 ~~the general nature of the proposed amendment and, if applicable, a map of the affected area.~~

24 ~~(c) In addition to any other information required by the Planning Department, the Zoning~~
25 ~~Administrator and the Planning Commission, any notice required by this Section of an application for a~~

1 ~~Conditional Use or Variance which proposes a Commercial Use for the subject property shall disclose~~
2 ~~the name under which business will be, or is expected to be, conducted at the subject property, as~~
3 ~~disclosed in the permit application pursuant to Section 306.1(e), if the business name is known at the~~
4 ~~time notice is given. If the business name becomes known to the applicant during the notice period, the~~
5 ~~applicant promptly shall amend the notice to disclose such business name and the Department shall~~
6 ~~disseminate all the various required hearing notices again with the disclosed name and allow the~~
7 ~~prescribed time between the date of the notice and the date of the hearing.~~

9 SEC 306.7. INTERIM ZONING CONTROLS.

10 * * * *

11 (g) **Notice.** Notice of the time and place of a public hearing on interim zoning controls
12 before the Planning Commission if the Planning Commission initiates the controls, or before
13 the Board of Supervisors or a committee of the Board if a member of the Board initiates the
14 controls, shall be provided pursuant to the requirements of Section 333 of this Code, and such other
15 notice as the Clerk of the Board or the Zoning Administrator may deem appropriate. . . as follows:

16 (1) ~~By publication at least once in an official newspaper of general circulation in the City not~~
17 ~~less than nine days prior to the date of hearing;~~

18 (2) ~~By posting at the office of the Board of Supervisors and the Planning Department nine days~~
19 ~~prior to the date of hearing; and~~

20 (3) ~~By mail to the applicant or other person or agency initiating the proposed interim control;~~
21 ~~and~~

22 (4) ~~By mail, if the area is 30 acres or less, exclusive of streets, alleys, and other public property,~~
23 ~~sent at least 10 days prior to the date of the hearing, to the owners of real property within the area that~~
24 ~~is the subject of the proposed interim zoning controls and within 300 feet of the exterior boundaries of~~
25 ~~that area when the controls would reclassify land or establish, abolish or modify a setback line, using~~

1 *for this purpose the names and addresses of the owners shown on the latest citywide assessment roll in*
2 *the Assessor's office. Failure to send notice by mail to any such property owner where the address of*
3 *such owner is not shown on such assessment roll shall not invalidate any proceedings in connection*
4 *with the position of interim zoning controls;*

5 *(5) Such other notice as the Clerk of the Board or the Zoning Administrator may deem*
6 *appropriate.*

7 Notice of a public hearing by the Board of Supervisors or a committee of the Board for
8 the ratification or disapproval of interim controls imposed by the Planning Commission shall
9 be given pursuant to *Subsections (1), (2), (3) and (5) of the requirements of this S*ubsection.

10 *Notices posted or published pursuant to the provisions of this ordinance shall contain a*
11 *description of the general nature of the proposed interim zoning controls, and a description of the*
12 *boundaries of the affected area if the controls would not be applicable citywide, and the time and place*
13 *of the hearing.* The body imposing the interim zoning controls may not enlarge the area
14 affected by the proposed amendment or modify the proposed amendment in a manner that
15 places greater restrictions on the use of property unless notice is first provided in accordance
16 with the provisions of this Subsection and a hearing is provided on the modifications. Notice
17 may be provided pursuant to the provisions of this Subsection (g) prior to the completion of
18 the environmental review process.

19 * * * *

20
21 **SEC. 306.8. POSTING OF SIGNS REQUIRED.**

22 (a) **Hearings for Which Notice Required.** In addition to the requirements for notice
23 provided elsewhere in this Code, the requirements for notice set forth in this Section shall
24 apply to hearings before the Planning Commission or the Zoning Administrator (1) on an
25 application for a conditional use or variance, (2) for every amendment to reclassify property

1 initiated by application as permitted in Section 302(b) where the area sought to be reclassified
2 is ½ acre or less (exclusive of streets, alleys and other public property) and where the
3 applicant owns all or a portion of the property to be reclassified or is a resident or commercial
4 lessee thereof, (3) for any permit application or project authorization application reviewed
5 pursuant to Sections 309 or 322, and (4) for any application for a building or site permit
6 authorizing a new building the consideration or approval of which is scheduled before the
7 Planning Commission. This Section shall not apply to variance applications involving a less
8 than 10% percent deviation as described in Section 305(c) or to hearings or actions relating to
9 environmental review.

10 (b) **Signposting Requirements.** *Hearings that are required to be noticed pursuant to this*
11 *section 306.8 shall provide notice pursuant to the requirements of section 333 of this Code. At least 20*
12 *days prior to a hearing governed by this section (other than a hearing on a reclassification, which shall*
13 *not be subject to this subsection), the applicant shall post a sign on the property that is the subject of*
14 *the application through the date of the hearing; provided, however, that if the date of the hearing is*
15 *continued four weeks or more, the sign need not remain posted and the applicant will thereafter be*
16 *subject only to such posting requirements as directed by the Zoning Administrator; and, provided*
17 *further, that signs for applications described in Subsection (a)(4) need only be posted at least 10 days*
18 *prior to the hearing, subject to the provisions regarding continued hearings set forth herein. The sign*
19 *shall meet the following requirements:*

20 (1) *It shall be posted inside of windows which are no more than six feet back from the property*
21 *line, where the windows are of sufficient size to accommodate the sign. The bottom of the sign shall be*
22 *no lower than four feet above grade and the top of the sign shall be no higher than eight feet six inches*
23 *above grade. The sign shall not be obstructed by awnings, landscaping, or other impediment and shall*
24 *be clearly visible from a public street, alley or sidewalk.*

1 ~~(2) In the absence of windows meeting the above criteria, where the building facade is no more~~
2 ~~than nine feet back from the property line, the sign shall be affixed to the building, with the bottom of~~
3 ~~the sign being at least five feet above grade and the top of the sign being no more than seven feet six~~
4 ~~inches above grade. The sign shall be protected from the weather as necessary. The sign shall not be~~
5 ~~obstructed by awnings, landscaping, or other impediment, and shall be clearly visible from a public~~
6 ~~street, alley or sidewalk.~~

7 ~~(3) Where the structure is more than nine feet from the property line, the sign shall be posted~~
8 ~~at the property line with the top of the sign no more than six feet and no less than five feet above grade.~~
9 ~~Such signs shall be attached to standards and shall be protected from the weather as necessary.~~

10 ~~The requirements of Subsections (1) through (3) of this subsection may be modified upon a~~
11 ~~determination by the Zoning Administrator that a different location for the sign would provide better~~
12 ~~notice or that physical conditions make this requirement impossible or impractical, in which case the~~
13 ~~sign shall be posted as directed by the Zoning Administrator.~~

14 ~~(c) Contents and Size of Signs. The sign shall be at least 30 inches by 30 inches, unless the~~
15 ~~application relates to a vacant site or vacant building, in which case the Zoning Administrator may~~
16 ~~require a sign up to eight feet wide and four feet high upon a determination that the larger sign will~~
17 ~~provide better public notice. The sign shall be entitled NOTICE OF ZONING HEARING. The lettering~~
18 ~~shall be at least 1¼-inch capital letters for the title. All other letters shall be at least ¾-inch uppercase~~
19 ~~and ½-inch lower case. The sign shall provide notice of the case number, the time, date, location and~~
20 ~~purpose of the public hearing, a description of the proposed project, and the procedure for obtaining~~
21 ~~additional information.~~

22 ~~Every person subject to the requirements of this Section shall obtain from the Planning~~
23 ~~Department the sign on submission of application which is to be posted, and shall provide such~~
24 ~~additional information on the sign as required by this Section and any written directions provided by~~
25 ~~the Zoning Administrator; provided, however, that where the Zoning Administrator requires a sign~~

1 larger than 30 by 30 inches, the applicant shall provide the sign. The Department shall charge a fee to
2 applicants in an amount determined appropriate to cover the cost of providing the sign.

3 *When the application is for a planned unit development, the sign shall contain a plot plan of the*
4 *property containing the following information:*

5 *(i) The names of all immediately adjacent streets or alleys;*

6 *(ii) A building footprint of the proposed project (new construction cross-hatched) outlined in*
7 *bold lines so as to clearly identify the location in relation to the property lines;*

8 *(iii) An arrow indicating north.*

9 **(dc) Notice of Reclassification by Zoning Administrator.** The Zoning Administrator
10 shall post signs providing notice of proposed reclassifications that are subject to this section
11 *pursuant to the requirements of sSection 333 of this Code. at least 10 days prior to the hearing. The*
12 *signs shall be posted in the area of the proposed reclassification and within 300 feet of such area. The*
13 *signs shall identify the applicant and the current and proposed zoning classification and shall contain a*
14 *map with the proposed reclassification area outlined in bold lines so as to clearly identify its*
15 *boundaries and with the names of all streets or alleys immediately adjacent to the proposed*
16 *reclassification area identified. The signs so posted shall be at least 8½ by 10½ inches. Compliance*
17 *with this subsection shall be met if at least one notice is posted in proximity to each street intersection*
18 *in the area that is the subject of the proposed reclassification and within 300 feet of such area. The*
19 *Zoning Administrator shall determine the cost to the City in providing the notice required by this*
20 *subsection and shall notify the applicant upon making that determination. The notice required by this*
21 *subsection shall be provided by the Zoning Administrator only upon payment of such costs by the*
22 *applicant.*

23 **(ed) Declaration Required; Failure to Comply.** The applicant, other than an
24 applicant for a reclassification, shall submit at the time of the hearing a declaration signed
25 under penalty of perjury stating that the applicant has complied with the provisions of this

1 Section. If any person challenges the applicant's compliance with this Section, the
2 Commission or, as to variance hearings the Zoning Administrator, shall determine whether the
3 applicant has substantially complied and, if not, shall continue the hearing for that purpose. A
4 challenge may be raised regarding compliance with the provisions of this Section by any
5 person after the hearing by filing a written statement with the Zoning Administrator, or such
6 challenge may be raised by the Zoning Administrator, but no challenge may be filed or raised
7 later than 30 days following Commission action, or as to variance hearings 10 days following
8 the decision. If no challenge is filed within the time required, it shall be deemed conclusive
9 that the applicant complied with the provisions of this Section. If it is determined, after a
10 hearing for which at least five days' notice has been given to the person filing the challenge
11 and the applicant, that the applicant has not substantially complied with the provisions of this
12 Section, the action of the Planning Commission or the Zoning Administrator shall be deemed
13 invalid and the matter shall be rescheduled for hearing after the required notice has been
14 given. Notwithstanding any other provision of this Section, an application may be denied if
15 continuance or delay of action on the application would result in an application being deemed
16 approved pursuant to Government Code Sections 65920 *et seq.*

17 **(e.f) Permission to Enter Property.** Every person who has possession of property
18 which is the subject of an application subject to this Section shall permit entry at a reasonable
19 time to an applicant who is seeking entry in order to allow the posting of the sign required
20 herein and no such person shall remove or cause the removal of such sign during the period
21 of time that posing is required herein and without reasonable cause to believe that such
22 removal is necessary in order to protect persons or property from injury.

23 **(f.g) Rights Affected.** The requirements of this Section are not intended to give any
24 right to any person to challenge in any administrative or judicial proceeding any action if such
25 person would not otherwise have the legal right to do so.

1 **SEC. 306.9. NOTICE OF APPLICATIONS FOR BUILDING PERMITS FOR SUTRO TOWER.**

2 * * * *

3 (c) **Notification.** Upon determination that an application is in compliance with the
4 requirements of the Planning Code, the Planning Department shall provide public notification
5 pursuant to the requirements of sSection 333 of this Code, except that no posted notice shall be
6 required, and that the mailed notice shall be mailed to all owners and, to the extent practicable,
7 occupants of properties within a 1,000 foot radius of the property line of the Sutro Tower site. ~~cause a~~
8 written notice of the proposed project to be sent in the manner described below. This notice shall be
9 in addition to any notices required by the Building Code and in addition to other requirements
10 for notice provided elsewhere in this Code.

11 ~~The notice shall have a format and content determined by the Zoning Administrator. At a~~
12 ~~minimum, it shall describe the proposed project and the project review process, and shall set forth the~~
13 ~~mailing date of the notice.~~

14 ~~Written notice shall be sent to all property owners and to each residential unit within a 1,000~~
15 ~~foot radius of the property line of the Sutro Tower site. The latest city-wide Assessor's roll for names~~
16 ~~and addresses of owners shall be used for said notice. Notice shall also be sent to any neighborhood~~
17 ~~organization on record with the Department as requesting notice of building permits for Sutro Tower.~~

18
19 **~~SEC. 306.10. MULTIPLE LANGUAGE REQUIREMENT FOR NOTICES.~~**

20 (a) ~~Applicability.~~ In addition to the notice requirements set forth elsewhere in this
21 Code, the requirements of this section shall apply to the mailed notices that are required by the
22 following sections of the Planning Code: Sections 202.5(e)(3), 304.5(d), 306.3, 306.7(g), 306.9(e),
23 309(e) through 309(h), 311, 312, 313.4(b), 314.4(a), 330.7, and any other section of the Planning Code
24 that requires a notice to be mailed or personally served to property owners or occupants adjacent to or
25 near a property for which Planning Department development approval is sought.

1 ~~(b) **Definitions.** The following definitions shall apply for the purposes of this section:~~

2 ~~(1) **Dedicated Telephone Number** means a telephone number for a recorded message in a~~
3 ~~Language of Limited English Proficient Residents. The recorded message shall advise callers as to~~
4 ~~what information they should leave on the message machine so that the Department may return the call~~
5 ~~with information about the notice in the requested language.~~

6 ~~(2) **Language of Limited English Proficient Residents** means each of the two languages other~~
7 ~~than English spoken most commonly by San Francisco residents of limited English proficiency as~~
8 ~~determined by the Planning Department based on its annual review of United States census and other~~
9 ~~data as required by San Francisco Administrative Code Section 91.2(j).~~

10 ~~(c) **Multiple Language Statement in Notices.** The Planning Department shall~~
11 ~~prepare a cover sheet as specified below and include it with each notice of the type listed in subsection~~
12 ~~(a). The cover sheet shall contain the following statement, printed in each Language of Limited English~~
13 ~~Proficient Residents and, to the extent available Department resources allow, such other languages~~
14 ~~that the Department determines desirable, with the name of the language in which the statement is~~
15 ~~made, the time period for a decision on the matter and the Dedicated Telephone Number for the~~
16 ~~language of the statement inserted in the appropriate blank spaces:~~

17 ~~"The attached notice is provided under the Planning Code. It concerns property located at the~~
18 ~~address shown on the attached notice. A hearing may occur, a right to request review may expire or a~~
19 ~~development approval may become final unless appealed within [insert days until a hearing or~~
20 ~~deadline for requesting review or appealing decision]. To obtain information about this notice in~~
21 ~~[insert name of language], please call [insert Dedicated Telephone Number]. Please be advised that~~
22 ~~the Planning Department will require at least one business day to respond to any call. Provision of~~
23 ~~information in [insert name of language] is provided as a service by the Planning Department and does~~
24 ~~not grant any additional rights or extend any time limits provided by applicable law."~~

1 — *The Department shall maintain a Dedicated Telephone Number for each Language of Limited*
2 *English Proficient Residents. The Department shall place a return telephone call by the end of the*
3 *following business day to each person who leaves a message concerning a neighborhood notice at a*
4 *Dedicated Telephone Number, and when the caller is reached, provide information to the caller about*
5 *the notice in the language spoken by the caller.*

6
7 **SEC. 311. RESIDENTIAL PERMIT REVIEW PROCEDURES ~~FOR RH, RM, AND RTO~~**
8 **~~DISTRICTS.~~**

9 (a) **Purpose.** The purpose of this Section is to establish procedures for reviewing
10 building permit applications *for lots in R Districts in order* to determine compatibility of the
11 proposal with the neighborhood and for providing notice to property owners and residents on
12 the site and neighboring the site of the proposed project and to interested neighborhood
13 organizations, so that concerns about a project may be identified and resolved during the
14 review of the permit.

15 (b) **Applicability.** Except as indicated herein, all building permit applications *in*
16 *Residential, NC, NCT, and Eastern Neighborhoods Districts for a change of use; establishment of a*
17 *Micro Wireless Telecommunications Services Facility; establishment of a Formula Retail Use;*
18 *demolition, and/or new construction, and/or alteration of residential buildings; and including the*
19 *removal of an authorized or unauthorized residential unit, in RH, RM, and RTO Districts shall be*
20 *subject to the notification and review procedures required by this Section 311. Subsection 311(e)*
21 *regarding demolition permits and approval of replacement structures shall apply to all R Districts. In*
22 *addition, all building permit applications that would establish Cannabis Retail or Medical Cannabis*
23 *Dispensary Uses, regardless of zoning district, shall be subject to the review procedures required by*
24 *this Section 311. Notwithstanding the foregoing or any other requirement of this Section 311, a change*
25

1 of use to a Child Care Facility, as defined in Section 102, shall not be subject to the review
2 requirements of this Section 311.

3 (1) Change of Use. For the purposes of this Section 311, a change of use is defined as
4 follows:

5 (A) Residential, NC and NCT Districts. For all Residential, NC, and NCT
6 Districts, a change of use is defined as a change to, or the addition of, any of the following land uses as
7 defined in Section 102 of this Code: Adult Business, Bar, Cannabis Retail, Group Housing, Liquor
8 Store, Medical Cannabis Dispensary, Nighttime Entertainment, Outdoor Activity Area, Post-Secondary
9 Educational Institution, Private Community Facility, Public Community Facility, Religious Institution,
10 School, Tobacco Paraphernalia Establishment, and Wireless Telecommunications Facility.

11 (B) Eastern Neighborhood Districts. In all Eastern Neighborhood Districts a
12 change of use shall be defined as a change in, or addition of, a new land use category. A "land use
13 category" shall mean those categories used to organize the individual land uses that appear in the use
14 tables, immediately preceding a group of individual land uses, including but not limited to the
15 following: Residential Use; Institutional Use; Retail Sales and Service Use; Assembly, Recreation, Arts
16 and Entertainment Use; Office Use; Live/Work Units Use; Motor Vehicle Services Use; Vehicle
17 Parking Use; Industrial Use; Home and Business Service Use; or Other Use.

18 (2) Alterations. For the purposes of this Section, an alteration in RH and RM
19 Districts shall be defined as an increase to the exterior dimensions of a building except those features
20 listed in Section 136(c)(1) through 136(c)(26) in districts where those sections apply where the
21 existing structure has not been expanded in the prior 3 years. any change in use. In addition, an
22 alteration in RH, RM, and RTO Districts shall also include the removal of more than 75% percent
23 of a residential building's existing interior wall framing or the removal of more than 75%
24 percent of the area of the existing framing, or an increase to the exterior dimensions of a
25 residential building except those features listed in Section 136(e)(1) through 136(e)(24) and 136(e)(26).

1 *Notwithstanding the foregoing or any other requirement of this Section 311, a change of use to a Child*
2 *Care Facility, as defined in Section 102, shall not be subject to the notification requirements of this*
3 *Section 311.*

4 *(2) For the purposes of this Section, an alteration in RTO Districts shall be defined as a*
5 *change of use described in Section 312(c), removal of more than 75 percent of a building's existing*
6 *interior wall framing or the removal of more than 75 percent of the area of the existing framing, or an*
7 *increase to the exterior dimensions of a building except those features listed in Section 136(e)(1)*
8 *through 136(e)(24) and 136(e)(26). Notwithstanding the foregoing or any other requirement of this*
9 *Section 311, a change of use to a Child Care Facility, as defined in Section 102, shall not be subject to*
10 *the notification requirements of this Section 311.*

11 *(3) Micro Wireless Telecommunications Services Facilities. Building permit*
12 *applications for the establishment of a Micro Wireless Telecommunications Services Facility, other*
13 *than a Temporary Wireless Telecommunications Services Facility, shall be subject to the review*
14 *procedures required by this Section. Pursuant to Section 205.2, applications for Temporary Wireless*
15 *Telecommunications Facilities to be operated for commercial purposes for more than 90 days shall*
16 *also be subject to the review procedures required by this Section.*

17 **(c) Building Permit Application Review for Compliance and Notification.** Upon
18 acceptance of any application subject to this Section, the Planning Department shall review
19 the proposed project for compliance with the Planning Code and any applicable design
20 guidelines approved by the Planning Commission. Applications determined not to be in
21 compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, Residential
22 Design Guidelines, including design guidelines for specific areas adopted by the Planning
23 Commission, or with any applicable conditions of previous approvals regarding the project,
24 shall be held until either the application is determined to be in compliance, is disapproved or a
25 recommendation for cancellation is sent to the Department of Building Inspection.

1 (1) **Residential Design Guidelines.** The construction of new residential
2 buildings and alteration of existing residential buildings in R Districts shall be consistent with
3 the design policies and guidelines of the General Plan and with the "Residential Design
4 Guidelines" as adopted and periodically amended for specific areas or conditions by the
5 Planning Commission. The design for new buildings with residential uses in RTO Districts
6 shall also be consistent with the design standards and guidelines of the "Ground Floor
7 Residential Units Design Guidelines" as adopted and periodically amended by the Planning
8 Commission. The Planning Director may require modifications to the exterior of a proposed
9 new residential building or proposed alteration of an existing residential building in order to
10 bring it into conformity with the "Residential Design Guidelines" and with the General Plan.
11 These modifications may include, but are not limited to, changes in siting, building envelope,
12 scale texture and detailing, openings, and landscaping.

13 (2) Removal of Residential Units. *When removal or elimination of an authorized or*
14 *unauthorized residential unit is proposed, the Applicant shall provide notice as required in Section 333*
15 *of this Code. The Zoning Administrator shall determine any additional notification procedures to be*
16 *applied in such a case.*

17 (3) Replacement Structure Required. *Unless the building is determined to pose a*
18 *serious and imminent hazard as defined in the Building Code, an application authorizing demolition in*
19 *any R District of an historic or architecturally important building or of a dwelling shall not be*
20 *approved and issued until the City has granted final approval of a building permit for construction of*
21 *the replacement building. A building permit is finally approved if the Board of Appeals has taken final*
22 *action for approval on an appeal of the issuance or denial of the permit or if the permit has been issued*
23 *and the time for filing an appeal with the Board has lapsed with no appeal filed.*

24 (A) The demolition of any building, including but not limited to historically and
25 architecturally important buildings, may be approved administratively when the Director of the

1 Department of Building Inspection, the Chief of the Bureau of Fire Prevention and Investigation, or the
2 Director of Public Works determines, after consultation with the Zoning Administrator, that an
3 imminent safety hazard exists, and the Director of the Department of Building Inspection determines
4 that demolition or extensive alteration of the structure is the only feasible means to secure the public
5 safety.

6 (2d) **Notification.** Upon determination that an application is in compliance with the
7 development standards of the Planning Code, the Planning Department shall provide cause-a
8 notice of the proposed project pursuant to the requirements of Section 333 of this Code. to be posted
9 on the site pursuant to rules established by the Zoning Administrator and shall cause a written notice
10 describing the proposed project to be sent in the manner described below. This notice shall be in
11 addition to any notices required by the Building Code and shall have a format and content determined
12 by the Zoning Administrator. It shall include a description of the proposal compared to any existing
13 improvements on the site with dimensions of the basic features, elevations and site plan of the proposed
14 project including the position of any adjacent buildings, exterior dimensions and finishes, and a
15 graphic reference scale. The notice shall describe the project review process and shall set forth the
16 mailing date of the notice and the expiration date of the notification period.

17 — Written notice shall be mailed to the notification group which shall include the project sponsor,
18 tenants of the subject property, relevant neighborhood organizations as described in
19 Subparagraph 311(c)(2)(C) below, all individuals having made a written request for notification for a
20 specific parcel or parcels pursuant to Planning Code Section 351 and all owners and, to the extent
21 practical, occupants, of properties in the notification area. For the purposes of Section 311(g) below,
22 written notice shall also be mailed to tenants of the subject property in authorized residential units.

23 — (A) The notification area shall be all properties within 150 feet of the subject lot in the same
24 Assessor's Block and on the block face across from the subject lot. When the subject lot is a corner lot,

1 ~~the notification area shall further include all property on both block faces across from the subject lot,~~
2 ~~and the corner property diagonally across the street.~~

3 ~~— (B) The latest City-wide Assessor's roll for names and addresses of owners shall be used for said~~
4 ~~notice.~~

5 ~~— (C) The Planning Department shall maintain a list, available for public review, of neighborhood~~
6 ~~organizations which have indicated an interest in specific properties or areas. The organizations~~
7 ~~having indicated an interest in the subject lot or its area shall be included in the notification group for~~
8 ~~the proposed project.~~

9 ~~— (3) Notification Period. All building permit applications shall be held for a period of 30 calendar~~
10 ~~days from the date of the mailed notice to allow review by residents and owners of neighboring~~
11 ~~properties and by neighborhood groups.~~

12 ~~— (4) Elimination of Duplicate Notice. The notice provisions of this Section may be waived by the~~
13 ~~Zoning Administrator for building permit applications for projects that have been, or before approval~~
14 ~~will be, the subject of a duly noticed public hearing before the Planning Commission or Zoning~~
15 ~~Administrator, provided that the nature of work for which the building permit application is required is~~
16 ~~both substantially included in the hearing notice and is the subject of the hearing.~~

17 ~~— (5) Notification Package. The notification package for a project subject to notice under this~~
18 ~~Section 311 shall include a written notice and reduced-size drawings of the project.~~

19 ~~— (A) The written notice shall compare the proposed project to the existing conditions at the~~
20 ~~development lot. Change to basic features of the project that are quantifiable shall be disclosed on the~~
21 ~~written notice. The basic features of existing and proposed conditions shall include, where applicable,~~
22 ~~front setback, building depth, rear yard depth side setbacks, building height, number of stories,~~
23 ~~dwelling unit count and use of the building.~~

1 ~~— (B) The written notice shall describe whether the project is a demolition, new construction or~~
2 ~~alteration project. If the project is an alteration, the type of alteration shall be described: horizontal,~~
3 ~~vertical or both horizontal and vertical additions and where the alteration is located.~~

4 ~~— (C) Written project description shall be part of the notice. In addition, the notice shall describe~~
5 ~~the project review process, information on how to obtain additional information and the contact~~
6 ~~information of the Planning Department.~~

7 ~~— (D) The building permit application number(s) shall be disclosed in the written notice. The start~~
8 ~~and expiration dates of the notice shall be stated. A description about the recipient's rights to request~~
9 ~~additional information, to request Discretionary Review by the Planning Commission and to appeal to~~
10 ~~other boards or commissions shall be provided.~~

11 ~~— (E) 11x17 sized or equivalent drawings to scale shall be included with the Section 311 written~~
12 ~~notice. The drawings shall illustrate the existing and proposed conditions in relationship to the~~
13 ~~adjacent properties. All dimensions and text throughout the drawings shall be legible. The drawings~~
14 ~~shall include a site plan, floor plans and elevations documenting dimensional changes that correspond~~
15 ~~to the basic features included in the written notice.~~

16 ~~— (F) The existing and proposed site plan shall illustrate the project including the full lots and~~
17 ~~structures of the directly adjacent properties.~~

18 ~~— (G) The existing and proposed floor plans shall illustrate the location and removal of interior~~
19 ~~and exterior walls. The use of each room shall be labeled. Significant dimensions shall be provided to~~
20 ~~document the change proposed by the project.~~

21 ~~— (H) The existing and proposed elevations shall document the change in building volume: height~~
22 ~~and depth. Dimensional changes shall be documented, including overall building height and also~~
23 ~~parapets, penthouses and other proposed vertical and horizontal building extensions. The front and~~
24 ~~rear elevations shall include the full profiles of the adjacent structures including the adjacent~~
25 ~~structures' doors, windows and general massing. Each side elevation shall include the full profile of the~~

1 ~~adjacent building in the foreground of the project, and the adjacent windows, lightwells and general~~
2 ~~massing shall be illustrated.~~

3 ~~(de)~~ **Requests for Planning Commission Review.** A request for the Planning
4 Commission to exercise its discretionary review powers over a specific building permit
5 application shall be considered by the Planning Commission if received by the Planning
6 Department no later than 5:00 p.m. of the last day of the notification period as described
7 under Section 333 Subsection (e)(3) above, subject to guidelines adopted by the Planning
8 Commission. The project sponsor of a building permit application may request discretionary
9 review by the Planning Commission to resolve conflicts between the Director of Planning and
10 the project sponsor concerning requested modifications to comply with the Residential Design
11 Guidelines, or other applicable design guidelines.

12 (1) **Scheduling of Hearing.** The Zoning Administrator shall set a time for
13 hearing requests for discretionary review by the Planning Commission within a reasonable
14 period.

15 (2) **Notice.** Mailed notice of the discretionary review hearing by the Planning
16 Commission shall be given pursuant to the requirements of Section 333 of this Code, not less than 10
17 days prior to the date of the hearing to the notification group as described in Paragraph 311(e)(2)
18 above. Posted notice of the hearing shall be made as provided under Planning Code Section 306.8.

19 ~~—(e) Demolition of Dwellings, Approval of Replacement Structure Required. Unless the~~
20 ~~building is determined to pose a serious and imminent hazard as defined in the Building Code an~~
21 ~~application authorizing demolition in any R District of an historic or architecturally important building~~
22 ~~or of a dwelling shall not be approved and issued until the City has granted final approval of a building~~
23 ~~permit for construction of the replacement building. A building permit is finally approved if the Board~~
24 ~~of Appeals has taken final action for approval on an appeal of the issuance or denial of the permit or if~~
25

1 ~~the permit has been issued and the time for filing an appeal with the Board has lapsed with no appeal~~
2 ~~filed.~~

3 ~~—(1) The demolition of any building whether or not historically and architecturally~~
4 ~~important may be approved administratively where the Director of the Department of Building~~
5 ~~Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after~~
6 ~~consultation with the Zoning Administrator, that an imminent safety hazard exists, and the Director of~~
7 ~~the Department of Building Inspection determines that demolition or extensive alteration of the~~
8 ~~structure is the only feasible means to secure the public safety.~~

9 ~~—(f) **Micro Wireless Telecommunications Services Facilities, Notification and Review**~~
10 ~~**Required.** Building permit applications for new construction of a Micro Wireless Telecommunications~~
11 ~~Services Facility, other than a Temporary Wireless Telecommunications Services Facility,~~
12 ~~under Article 2 of the Planning Code in RH and RM Districts shall be subject to the notification and~~
13 ~~review procedures required by this Section. Pursuant to Section 205.2, applications for building~~
14 ~~permits in excess of 90 days for Temporary Wireless Telecommunications Facilities to be operated for~~
15 ~~commercial purposes in RH, RM, and RTO Districts shall also be subject to the notification and review~~
16 ~~procedures required by this Section.~~

17 ~~—(g) **Removal of Residential Units.** When removal or elimination of a residential unit is~~
18 ~~proposed, the Applicant shall provide notice to occupants of the subject property by complying with the~~
19 ~~following notification procedures.~~

20 ~~—(1) The Applicant shall provide a list of all existing residential units in the subject property~~
21 ~~to the Zoning Administrator, including those units that may be unauthorized residential units.~~

22 ~~—(2) The Applicant shall post a notice of the application at least 30 inches by 30 inches in a~~
23 ~~conspicuous common area of the subject property, with the content as described in Subsections~~
24 ~~(e)(5)(A)-(D) above, and including the phone numbers of the agencies to contact regarding building~~
25 ~~permit issuance and appeal. The sign shall also indicate the appropriate City agency or resource to~~

1 ~~contact for assistance in securing tenant counseling or legal services that can provide assistance to~~
2 ~~tenants with understanding and participating in the City's processes. The sign shall be posted no later~~
3 ~~than the start date of the notice required under Subsection (ed)(53) and shall remain posted until the~~
4 ~~conclusion of any hearings on the permit before the Planning Commission, the Zoning Administrator,~~
5 ~~the Board of Supervisors or the Board of Appeals. Such notice shall also include contact information~~
6 ~~for translation services into Spanish, Chinese, and Russian.~~

7 ~~—(3) The Planning Department shall cause notice to be mailed to all residential units in the~~
8 ~~building, including any unauthorized residential units.~~

9 ~~—(4) If an application proposes the kind of work set forth in Section 311(b) above, the~~
10 ~~Applicant shall comply with the notification requirements set forth in Section 311(ed) above, in~~
11 ~~addition to the on-site notification requirements set forth in this Section 311(g), but this Section 311(g)~~
12 ~~shall not require compliance with such notification requirements if they are otherwise not required.~~

13
14 ~~**SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**~~
15 ~~**NEIGHBORHOODS MIXED-USE DISTRICTS AND FOR CANNABIS RETAIL AND MEDICAL**~~
16 ~~**CANNABIS DISPENSARY USES IN ALL NON-RESIDENTIAL ZONING DISTRICTS.**~~

17
18 ~~—(a) Purpose. The purpose of this Section is to establish procedures for reviewing building permit~~
19 ~~applications for lots in NC and Eastern Neighborhoods Mixed Use Districts and for proposed~~
20 ~~Cannabis Retail and Medical Cannabis Dispensary Uses in C, PDR, M, and Mixed Use Districts, in~~
21 ~~order to determine compatibility of the proposal with the neighborhood and for providing notice to~~
22 ~~property owners, occupants and residents on the site and neighboring the site of the proposed project~~
23 ~~and to interested neighborhood organizations, so that concerns about a project may be identified and~~
24 ~~resolved during the review of the permit.~~

1 ~~(b) Applicability. Except as indicated herein, all building permit applications for demolition, new~~
2 ~~construction, the removal of an authorized or unauthorized Dwelling Unit, changes in use to a Formula~~
3 ~~Retail use as defined in Section 303.1 of this Code, alterations that expand the exterior dimensions of a~~
4 ~~building, and all building permit applications for proposed Cannabis Retail or Medical Cannabis~~
5 ~~Dispensary Uses shall be subject to the notification and review procedures required by subsection~~
6 ~~312(d). Subsection 312(f) regarding demolition permits and approval of replacement structures shall~~
7 ~~apply to all NC and Eastern Neighborhoods Mixed Use Districts. For the purposes of this Section,~~
8 ~~addition to a building of the features listed in Section 136(e)(1) through 136(e)(24) and 136(e)(26)~~
9 ~~shall not be subject to notification under this Section.~~

10 ~~(c) Changes of Use.~~

11 ~~(1) NC Districts. In NC Districts, all building permit applications for a change of use to, or the~~
12 ~~establishment of, the following uses shall be subject to the provisions of subsection 312(d) except as~~
13 ~~stated below:~~

14 ~~— Adult Business~~

15 ~~— Bar~~

16 ~~— Cannabis Retail~~

17 ~~— General Entertainment~~

18 ~~— Group Housing~~

19 ~~— Limited Restaurant~~

20 ~~— Liquor Store~~

21 ~~— Massage Establishment~~

22 ~~— Medical Cannabis Dispensary~~

23 ~~— Nighttime Entertainment~~

24 ~~— Outdoor Activity Area~~

25 ~~— Post-Secondary Educational Institution~~

1 ~~Private Community Facility~~

2 ~~Public Community Facility~~

3 ~~Religious Institution~~

4 ~~Residential Care Facility~~

5 ~~Restaurant~~

6 ~~School~~

7 ~~Tobacco Paraphernalia Establishment~~

8 ~~Trade School~~

9 ~~However, a change of use from a Restaurant to a Limited Restaurant shall not be subject to the~~
10 ~~provisions of subsection 312(d). In addition, any accessory massage use in the Ocean Avenue~~
11 ~~Neighborhood Commercial Transit District shall be subject to the provisions of subsection 312(d).~~

12 ~~(2) Eastern Neighborhoods Districts. In all Eastern Neighborhoods Mixed Use Districts all~~
13 ~~building permit applications for a change of use from any one land use category to another land use~~
14 ~~category, including but not limited to applications for a change of use to or for the establishment of a~~
15 ~~new Cannabis Retail or Medical Cannabis Dispensary Use shall be subject to the provisions of~~
16 ~~subsection 312(d). For the purposes of this subsection (c), "land use category" shall mean those~~
17 ~~categories used to organize the individual land uses which appear in the use tables in Article 8,~~
18 ~~immediately preceding a group of individual land uses, including but not limited to the following:~~
19 ~~Residential Use; Institutional Use; Retail Sales and Service Use; Assembly, Recreation, Arts and~~
20 ~~Entertainment Use; Office Use; Live/Work Units Use; Motor Vehicle Services Use; Vehicle Parking~~
21 ~~Use; Industrial Use; Home and Business Service Use; or Other Use.~~

22 ~~(3) C, PDR, M, and Mixed Use Districts. In C, PDR, M, and Mixed Use Districts, all building~~
23 ~~permit applications for a change of use to or the establishment of a Cannabis Retail or Medical~~
24 ~~Cannabis Dispensary Use shall be subject to the provisions of subsection 312(d).~~

1 ~~(d) Building Permit Application Review for Compliance and Notification.~~ Upon acceptance of any
2 application subject to this Section, the Planning Department shall review the proposed project for
3 compliance with the Planning Code and any applicable design guidelines approved by the Planning
4 Commission. Applications determined not to be in compliance with the standards of Articles 1.2, 1.5, 2
5 and 2.5 of the Planning Code, including design guidelines for specific areas adopted by the Planning
6 Commission, or with any applicable conditions of previous approvals regarding the project, shall be
7 held until either the application is determined to be in compliance, is disapproved or a
8 recommendation for cancellation is sent to the Department of Building Inspection.

9 ~~(1) Neighborhood Commercial Design Guidelines.~~ The construction of new buildings and
10 alteration of existing buildings in NC Districts shall be consistent with the design policies and
11 guidelines of the General Plan as adopted and periodically amended for specific areas or conditions by
12 the Planning Commission. The Director of Planning may require modifications to the exterior of a
13 proposed new building or proposed alteration of an existing building in order to bring it into
14 conformity with the General Plan. These modifications may include, but are not limited to, changes in
15 siting, building envelope, scale texture and detailing, openings, and landscaping.

16 ~~(2) Notification.~~ Upon determination that an application is in compliance with the development
17 standards of the Planning Code, the Planning Department shall cause a notice to be posted on the site
18 pursuant to rules established by the Zoning Administrator and shall cause a written notice describing
19 the proposed project to be sent in the manner described below. This notice shall be in addition to any
20 notices required by the Building Code and shall have a format and content determined by the Zoning
21 Administrator. It shall include a description of the proposal compared to any existing improvements on
22 the site with dimensions of the basic features, elevations and site plan of the proposed project including
23 the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference scale,
24 existing and proposed uses and commercial or institutional business name, if known. The notice shall
25

1 ~~describe the project review process and shall set forth the mailing date of the notice and the expiration~~
2 ~~date of the notification period.~~

3 ~~Written notice shall be mailed to the notification group which shall include the project sponsor,~~
4 ~~tenants of the subject property, relevant neighborhood organizations as described in Subparagraph~~
5 ~~312(d)(2)(C) below, all individuals having made a written request for notification for a specific parcel~~
6 ~~or parcels and all owners and, to the extent practical, occupants, of properties in the notification area.~~
7 ~~For the purposes of Section 312(h) below, written notice shall also be mailed to tenants of the subject~~
8 ~~property in unauthorized residential units.~~

9 ~~(A) The notification area shall be all properties within 150 feet of the subject lot in the same~~
10 ~~Assessor's Block and on the block face across from the subject lot. When the subject lot is a corner lot,~~
11 ~~the notification area shall further include all property on both block faces across from the subject lot,~~
12 ~~and the corner property diagonally across the street.~~

13 ~~(B) The latest City-wide Assessor's roll for names and addresses of owners shall be used for said~~
14 ~~notice.~~

15 ~~(C) The Planning Department shall maintain a list, updated every six months with current~~
16 ~~contact information, available for public review, and kept at the Planning Department's Planning~~
17 ~~Information Counter, and reception desk, as well as the Department of Building Inspection's Building~~
18 ~~Permit Counter, of neighborhood organizations which have indicated an interest in specific properties~~
19 ~~or areas. The organizations having indicated an interest in the subject lot or its area shall be included~~
20 ~~in the notification group for the proposed project. Notice to these groups shall be verified by a~~
21 ~~declaration of mailing signed under penalty of perjury. In the event that such an organization is not~~
22 ~~included in the notification group for a proposed project as required under this subsection, the~~
23 ~~proposed project must be re-noticed.~~

1 ~~—(3) Notification Period. All building permit applications shall be held for a period of 30 calendar~~
2 ~~days from the date of the mailed notice to allow review by residents, occupants, owners of neighboring~~
3 ~~properties and by neighborhood groups.~~

4 ~~—(4) Elimination of Duplicate Notice. The notice provisions of this Section may be waived by the~~
5 ~~Zoning Administrator for building permit applications for projects that have been, or before approval~~
6 ~~will be, the subject of a duly noticed public hearing before the Planning Commission or Zoning~~
7 ~~Administrator, provided that the nature of work for which the building permit application is required is~~
8 ~~both substantially included in the hearing notice and is the subject of the hearing.~~

9 ~~—(e) Requests for Planning Commission Review. A request for the Planning Commission to exercise~~
10 ~~its discretionary review powers over a specific building permit application shall be considered by the~~
11 ~~Planning Commission if received by the Planning Department no later than 5:00 p.m. of the last day of~~
12 ~~the notification period as described under Subsection (d)(3) above, subject to guidelines adopted by the~~
13 ~~Planning Commission.~~

14 ~~—The project sponsor of a building permit application may request discretionary review by the~~
15 ~~Planning Commission to resolve conflicts between the Director of Planning and the project sponsor~~
16 ~~concerning requested modifications to comply with relevant design guidelines of the General Plan.~~

17 ~~—(1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing requests for~~
18 ~~discretionary review by the Planning Commission within a reasonable period.~~

19 ~~—(2) Notice. Mailed notice of the discretionary review hearing by the Planning Commission shall be~~
20 ~~given not less than 10 days prior to the date of the hearing to the notification group as described in~~
21 ~~Paragraph 312(d)(2) above. Posted notice of the hearing shall be made as provided under Planning~~
22 ~~Code Section 306.8.~~

23 ~~—(f) Demolition of Dwellings, Approval of Replacement Structure Required. Unless the building is~~
24 ~~determined to pose a serious and imminent hazard as defined in the Building Code an application~~
25 ~~authorizing demolition in any NC or Eastern Neighborhoods Mixed Use District of an historic or~~

1 ~~architecturally important building or of a dwelling shall not be approved and issued until the City has~~
2 ~~granted final approval of a building permit for construction of the replacement building. A building~~
3 ~~permit is finally approved if the Board of Appeals has taken final action for approval on an appeal of~~
4 ~~the issuance or denial of the permit or if the permit has been issued and the time for filing an appeal~~
5 ~~with the Board has lapsed with no appeal filed.~~

6 ~~—The demolition of any building whether or not historically and architecturally important may be~~
7 ~~approved administratively where the Director of the Department of Building Inspection or the Chief of~~
8 ~~the Bureau of Fire Prevention and Public Safety determines, after consultation with the Zoning~~
9 ~~Administrator, that an imminent safety hazard exists, and the Director of the Department of Building~~
10 ~~Inspection determines that demolition or extensive alteration of the structure is the only feasible means~~
11 ~~to secure the public safety.~~

12 ~~—(g) **Micro Wireless Telecommunications Services Facilities, Notification and Review Required.**~~
13 ~~Building permit applications for new construction of a Micro Wireless Telecommunications Services~~
14 ~~Facility under Article 7 or 8 of the Planning Code in all NC or Eastern Neighborhoods Mixed Use~~
15 ~~Districts shall be subject to the notification and review procedures required by this Section. Pursuant~~
16 ~~to Section 205.2, applications for building permits in excess of 90 days for Temporary Wireless~~
17 ~~Telecommunications Facilities to be operated for commercial purposes in NC and Eastern~~
18 ~~Neighborhood Mixed Use Districts shall also be subject to the notification and review procedures~~
19 ~~required by this Section.~~

20 ~~—(h) **Removal of Residential Units.** When removal or elimination of a residential unit is proposed,~~
21 ~~the Applicant shall comply with the following notification procedures.~~

22 ~~—(1) The Applicant shall provide a list of all residential units in the subject property to the Zoning~~
23 ~~Administrator, including those units that may be unauthorized residential units.~~

24 ~~—(2) The Applicant shall post a notice of the application at least 30 inches by 30 inches in a~~
25 ~~conspicuous common area of the subject property, with the content as described in Subsection (d)(2)~~

1 above, and including the phone numbers of the agencies to contact regarding building permit issuance
2 and appeal. The sign shall also indicate the appropriate City agency or resource to contact for
3 assistance in securing tenant counseling or legal services that can provide assistance to tenants with
4 understanding and participating in the City's processes. The sign shall be posted no later than the
5 mailing date of the notice required under Subsection (d)(2) above and shall remain posted until the
6 conclusion of any hearings on the permit before the Planning Commission, the Zoning Administrator,
7 the Board of Supervisors or the Board of Appeals. Such notice shall also include contact information
8 for translation services into Spanish, Chinese, and Russian.

9 ~~—(3) The Planning Department shall cause notice to be mailed to all residential units in the~~
10 ~~building, including any unauthorized residential units.~~

11 ~~—(4) If an application proposes the kind of work set forth in Section 312(b) above, the Applicant~~
12 ~~shall comply with the notification requirements set forth in Section 312(d) above, in addition to the on-~~
13 ~~site notification requirements set forth in this Section 312(h), but this Section 312(h) shall not require~~
14 ~~compliance with such notification requirements if they are otherwise not required.~~

15
16 **SEC. 317. LOSS OF RESIDENTIAL AND UNAUTHORIZED UNITS THROUGH**
17 **DEMOLITION, MERGER AND CONVERSION.**

18 * * * *

19 (h) **Notice of Conditional Use Hearing.** ~~At least twenty days prior to~~ For any hearing to
20 consider a Conditional Use authorization required under ~~§~~subsections (g)(2), (g)(3), (g)(4), or
21 (g)(5), the Zoning Administrator shall ~~cause a written~~ provide notice as required by Section 333 of
22 this Code ~~containing the following information to be mailed to all Residential Units and if known any~~
23 ~~Unauthorized Units in the building,~~ in addition to any other notice required under this Code:

24 (1) ~~Notice of the time, place, and purpose of the hearing; and~~

1 (2) ~~An explanation of the process for demolishing, merging, or converting Residential~~
2 ~~Units or Unauthorized Units, including a description of subsequent permits that would be required~~
3 ~~from the Planning Department and Department of Building Inspection and how they could be appealed.~~

4 * * * *

5
6 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS MIXED**
7 **USE DISTRICTS.**

8 * * * *

9 **(e) Hearing and Decision.**

10 (1) **Hearing.** The Planning Commission shall hold a public hearing for all
11 projects that are subject to this Section.

12 (2) **Notice of Hearing.** Notice of such hearing shall be provided *as required by*
13 *Section 333 of this Code.* ~~pursuant to the same requirements for Conditional Use requests, as set forth~~
14 ~~in Section 306.3 and 306.8.~~

15 (3) **Director's Recommendations on Modifications and Exceptions.** At the
16 hearing, the Planning Director shall review for the Commission key issues related to the
17 project based on the review of the project pursuant to Subsection (c) and recommend to the
18 Commission modifications, if any, to the project and conditions for approval as necessary. The
19 Director shall also make recommendations to the Commission on any proposed exceptions
20 pursuant to Subsection (d).

21 (4) **Decision and Imposition of Conditions.** The Commission, after public
22 hearing and, after making appropriate findings, may approve, disapprove or approve subject
23 to conditions, the project and any associated requests for exception. As part of its review and
24 decision, the Planning Commission may impose additional conditions, requirements,
25

1 modifications, and limitations on a proposed project in order to achieve the objectives,
2 policies, and intent of the General Plan or of this Code.

3 (5) **Appeal.** The decision of the Planning Commission may be appealed to the
4 Board of Appeals by any person aggrieved within 15 days after the date of the decision by
5 filing a written notice of appeal with that body, setting forth wherein it is alleged that there was
6 an error in the interpretation of the provisions of this Code or abuse of discretion on the part of
7 the Planning Commission.

8 (6) **Discretionary Review.** No requests for discretionary review shall be
9 accepted by the Planning Department or heard by the Planning Commission for projects
10 subject to this Section.

11 (7) **Change of Conditions.** Once a project is approved, authorization of a
12 change in any condition previously imposed by the Planning Commission shall require
13 approval by the Planning Commission subject to the procedures set forth in this Section.

14
15 **SEC. 330.7. PUBLIC NOTICE.**

16 In addition to the notice standards of Sections 306 through 306.5 in this Code, and any
17 other notice requirement by the Building Code or any other notice required by the Municipal
18 Code, the Zoning Administrator shall ~~mail notice~~ provide notice of a Coastal Zone Permit
19 Application ~~as required by Section 333 of this Code. to residents within 100 feet of the subject~~
20 ~~property, and mail notice to any person or group who specifically requests notice. The notice shall~~
21 ~~identify the nature of the project, its location within the coastal zone, the time and date of hearing if~~
22 ~~any, and appeal procedures.~~

23
24 **SEC. 333. PUBLIC NOTIFICATION PROCEDURES**

1 (a) Purpose. The purpose of this section is to establish procedures for all public
2 notifications required by this Code.

3 (b) Applicability. The requirements of this Section 333 shall apply to any hearing before the
4 Planning Commission, Historic Preservation Commission and/or the Zoning Administrator for which
5 public notice is required in this Code, and to certain Building Permit Applications under review by the
6 Planning Department pursuant to Section 311 of this Code. The Zoning Administrator shall determine
7 the means of delivering all forms of public notice, in a manner consistent with the Planning
8 Commission's policy on notification, pursuant to this Code, provided that the requirements of this
9 Section 333 are satisfied.

10 (c) Notification Period. For the purposes of this section 333, the Notification Period shall
11 mean no fewer than 20 calendar days prior to the date of the hearing, or in the case of a Building
12 Permit Application a period of no fewer than 20 calendar days prior to any Planning Department
13 approval of the application.

14 (d) Content of Notice.

15 (1) All notices provided pursuant to this section 333 shall have a format and content
16 determined by the Zoning Administrator, and shall at a minimum include the following:

17 (A) the address and block/lot number(s) of the subject project; and

18 (B) the Planning Department case number or Building Permit Application
19 number, as applicable, for the subject project; and

20 (C) the basic details of the project, including whether the project is a demolition,
21 new construction, alteration, or change of use; and basic details comparing the existing and proposed
22 conditions at the property including building height, number of stories, dwelling unit count, number of
23 parking spaces, and the use of the building; and

24 (D) instructions on how to access the online notice and plan sets for the project,
25 including how to obtain paper copies of the plan sets, and additional information as follows:

1 (i) for Building Permit Applications subject to section 311 of this Code:
2 the beginning and end dates of the notification period along with instructions on how to contact the
3 project planner, and for how to file an application for Discretionary Review; and contact information
4 for the appropriate City agency or resource to contact for assistance in securing tenant counseling or
5 legal services, as applicable; or

6 (ii) for any public hearings required by the Planning Code and for which
7 public notification is required for a development application: the date, time and location of the
8 hearing; instructions for how to submit comments on the proposed project to the hearing body; and an
9 explanation as to why the hearing is required.

10 (2) Multiple Language Requirement.

11 (A) Definitions. The following definitions shall apply for the purposes of this
12 §subsection:

13 (i) Dedicated Telephone Number means a telephone number for a
14 recorded message in a Language of Limited English Proficient Residents. The recorded message shall
15 advise callers as to what information they should leave on the message machine so that the Department
16 may return the call with information about the notice in the requested language.

17 (ii) Language of Limited English Proficient Residents means each of the
18 two languages other than English spoken most commonly by San Francisco residents of limited English
19 proficiency as determined by the Planning Department based on its annual review of United States
20 census and other data as required by San Francisco Administrative Code Section 91.2.

21 (B) All forms of required notice established in this §Section 333 shall include a
22 statement, provided in each Language of Limited English Proficient Residents and, to the extent
23 available Department resources allow, such other languages that the Department determines desirable,
24 providing a Dedicated Telephone Number at which information about the notice may be obtained in the
25 language in question. The Department shall maintain a Dedicated Telephone Number for each

1 Language of Limited English Proficient Residents. The Department shall place a return telephone call
2 by the end of the following business day to each person who leaves a message, and when the caller is
3 reached, provide information to the caller about the notice in the language spoken by the caller.

4 (e) Required Notices. Except as provided in subsection 333(f) below, all notices provided
5 pursuant to this section 333 shall be provided in the following formats:

6 (1) Posted Notice. A poster or posters with minimum dimensions of 11 x 17 inches,
7 including the content set forth in subsection 333(d) above, shall be placed by the project applicant at
8 the subject property and for the entire duration of the Notification Period as set forth herein. This
9 notice shall be in addition to any notices required by the Building Code, other City codes or State law.
10 One poster shall be required for each full 25 feet of each street frontage of the subject property. For
11 example, 2 posters would be required for a 50 foot street frontage; 3 posters would be required for
12 either a 75 foot frontage or a 99 foot frontage. Multiple posters shall be spread along the subject street
13 frontage as regularly as possible. All required posters shall be placed as near to the street frontage of
14 the property as possible, in a manner to be determined by the Zoning Administrator that is visible and
15 legible from the sidewalk or nearest public right-of-way. The requirements of this Subsection
16 333(e)(1) may be modified upon a determination by the Zoning Administrator that a different
17 location for the sign would provide better notice or that physical conditions make this
18 requirement impossible or impractical, in which case the sign shall be posted as directed by
19 the Zoning Administrator.

20 (2) Mailed Notice. Written notice with minimum dimensions of 4-1/4 x 6 5-1/2 x 8-1/2
21 inches, including the contents set forth in subsection 333(d), shall be mailed to all of the following
22 recipients in a timely manner pursuant to the Notification Period established herein:

23 (A) Neighborhood organizations that have registered with the Planning
24 Department, to be included in a list that shall be maintained by the Planning Department and available
25

1 for public review for the purpose of notifying such organizations of hearings and applications in
2 specific areas; and

3 (B) Individuals who have made a specific written request for to be notified of
4 hearings and applications at a subject lot; and

5 (C) All owners and, to the extent practicable, occupants of properties, within no
6 less than 150 feet of the subject property, including the owner(s) and occupant(s) of the subject
7 property, including any occupants of unauthorized dwelling units. Names and addresses of property
8 owners shall be taken from the latest Citywide Assessor's Roll. Failure to send notice by mail to any
9 such property owner where the address of such owner is not shown on such assessment roll shall not
10 invalidate any proceedings in connection with such action. The Zoning Administrator shall determine
11 the appropriate methodology for satisfying this requirement. If applicable State law requires notice to
12 be provided in a different manner, such notice will be provided consistent with applicable State
13 requirements.

14 (3) **Online Notice.** For the entire duration of the Notification Period established
15 herein, the following notification materials shall be provided on a publicly accessible website that is
16 maintained by the Planning Department:

17 (A) A digital copy formatted to print on 11 x 17 inch paper of the posted
18 notice including the contents set forth in subsection 333(d) for the hearing or application; and

19 (B) Digital copies of any architectural and/or site plans that are scaled and
20 formatted to print on 11 x 17 inch paper, are consistent with Plan Submittal Guidelines maintained and
21 published by the Planning Department, and that describe and compare, at a minimum, the existing and
22 proposed conditions at the subject property, the existing and proposed conditions in relationship to
23 adjacent properties, and that may include a site plan, floor plans, and elevations documenting
24 dimensional changes required to describe the proposal.

1 (f) Notice of Hearings for Legislative Actions. *Notwithstanding the foregoing, for all*
2 *hearings required for consideration of legislation, including but not limited to a Planning Code*
3 *Amendment, Zoning Map Amendment, General Plan Amendment, or Interim Zoning Controls, an*
4 *online notice shall be provided for the entire duration of the Notification Period established herein on a*
5 *publicly accessible website that is maintained by the Planning Department, and shall include the date,*
6 *time, and location of the hearing; the case number for the subject action; a general description of the*
7 *subject and purpose of the hearing; and instructions for how to contact the planner assigned to the case*
8 *and provide comment to the hearing body. For any legislative proposal to reclassify property through a*
9 *Zoning Map Amendment, or to establish Interim Zoning Controls, if the area to be reclassified or the*
10 *area in which the interim controls are applicable is 30 acres or less in total area, excluding the area of*
11 *public streets and alleys, the information specified in this ~~§~~ subsection (f) shall be provided in a mailed*
12 *notice consistent with the requirements of subsection 333(d) above, and the notices shall also include*
13 *a map or general description of the area proposed for reclassification or action. For any legislative*
14 *proposal to reclassify property through a Zoning Map Amendment, if the area to be reclassified*
15 *comprises a single development lot or site, the required information shall also be provided in a posted*
16 *notice consistent with the requirements of subsection 333(d) above.*

17 (g) Elimination of Duplicate Notice. *The notice provisions of this Section may be waived by*
18 *the Zoning Administrator for applications that have been, or prior to any approval will be, the subject*
19 *of an otherwise duly noticed public hearing before the Planning Commission or Zoning Administrator,*
20 *provided that the nature of work for which the application is required is both substantially included in*
21 *the hearing notice and was the subject of the hearing.*

22 (h) Newspaper Notice. *If newspaper notice is required by applicable State law, the City*
23 *shall provide such newspaper notice.*

24
25 **SEC. 1006.3. SCHEDULING AND NOTICE OF HEARING.**

1 (a) If a public hearing before the HPC on a Certificate of Appropriateness is required,
2 a timely appeal has been made of an Administrative Certificate of Appropriateness, or the
3 HPC has timely requested review of an Administrative Certificate of Appropriateness, the
4 Department shall set a time and place for said hearing within a reasonable period. Notice of
5 the time, place and purpose of the hearing shall be *given provided as required by Section 333 of*
6 *this Code. by the Department as follows:*

7 ~~(1) By mail to the applicant not less than 20 days prior to the date of the~~
8 ~~hearing;~~

9 ~~(2) By mail to any interested parties who so request in writing to the~~
10 ~~Department;~~

11 ~~—— (3) For landmark sites: by mail not less than 20 days prior to the date of the hearing to~~
12 ~~all owners and occupants of the subject property and owners and occupants of properties within 150~~
13 ~~feet of the subject property;~~

14 ~~—— (4) For buildings located in historic districts: by mail not less than 20 days prior to the~~
15 ~~date of the hearing to all owners and occupants of the subject property, all owners of properties within~~
16 ~~300 feet of the subject property, and all occupants of properties within 150 feet of the subject property.~~

17 ~~(5) By posting notice on the site not less than 20 days prior to the date of the~~
18 ~~hearing; and~~

19 ~~(6) Such other notice as the Department deems appropriate.~~

20 ~~(b) For the purposes of mailed notice, the latest citywide assessment roll for names and~~
21 ~~addresses of owners shall be used, and all efforts shall be made to the extent practical, to notify~~
22 ~~occupants of properties in the notification area. Failure to send notice by mail to any such property~~
23 ~~owner where the address of such owner is not shown on such assessment roll shall not invalidate any~~
24 ~~proceedings in connection with such action.~~

1 **SEC. 1111.4. SCHEDULING AND NOTICE OF HISTORIC PRESERVATION COMMISSION**
2 **HEARINGS.**

3 (a) If a public hearing before the HPC is required under this Section 1111, the
4 Department shall set a time and place for the hearing within a reasonable period. Notice of the
5 ~~time, place, and purpose of the hearing shall be given by the Department provided as required in~~
6 ~~Section 333 of this Code. not less than 20 days prior to the date of the hearing as follows:~~

7 ~~(1) By mail to the owner of the subject property;~~

8 ~~(2) By mail to the applicant;~~

9 ~~(3) By mail to any interested parties who make a request in writing to the Department;~~

10 ~~(4) For applications for a building located in a Conservation District, by mail to the~~
11 ~~owners of all real property within 300 feet of the subject property;~~

12 ~~(5) For applications for a building not located in a Conservation District, by mail to~~
13 ~~the owners of all real property within 150 feet of the subject property;~~

14 ~~(6) By posting notice on the site; and~~

15 ~~(7) By any other means as the Department deems appropriate.~~

16 (b) ~~Notice for HPC review of Minor Permits to Alter. A hearing for the HPC to exercise its~~
17 ~~review powers over a Minor Permit to Alter shall be noticed:~~

18 ~~(1) By mail not less than 10 days prior to the date of the hearing to the applicant, all~~
19 ~~owners within 150 feet of the subject property, as well as to any other interested parties who so request~~
20 ~~in writing to the Department; and~~

21 ~~(2) By posted notice on the site not less than 10 days prior to the date of the hearing.~~

22
23 Section 5. The Planning Code is hereby amended by revising Sections 1005, 1111.1,
24 and 1111.2 to read as follows:
25

1 **SEC. 1005. CONFORMITY AND PERMITS**

2 * * * *

3 (e) After receiving a permit application from the Central Permit Bureau in accordance
4 with the preceding subsection, the Department shall ascertain whether a Certificate of
5 Appropriateness is required or has been approved for the work proposed in such permit
6 application. If a Certificate of Appropriateness is required and has been issued, and if the
7 permit application conforms to the work approved in the Certificate of Appropriateness, the
8 permit application shall be processed without further reference to this Article 10. If a
9 Certificate of Appropriateness is required and has not been issued, *of or* if the permit
10 application does not conform to what was approved, the permit application shall be
11 disapproved or held by the Department until such time as conformity does exist either through
12 modifications to the proposed work or through the issuance of an amended or new Certificate
13 of Appropriateness. Notwithstanding the foregoing, in the following cases the Department
14 shall process the permit application without further reference to this Article 10:

15 (1) When the application is for a permit to construct on a landmark site where
16 the landmark has been lawfully demolished and the site is not within a designated historic
17 district;

18 (2) When the application is for a permit to make interior alterations only on a
19 privately-owned structure or on a publicly-owned structure, unless the designating ordinance
20 requires review of such alterations to the privately- or publicly-owned structure pursuant to
21 Section 1004(c) hereof. Notwithstanding the foregoing, if any proposed interior alteration
22 requiring a permit would result in any significant visual or material impact to the exterior of the
23 subject building, a Certificate of Appropriateness shall be required to address such exterior
24 effects;

1 (3) When the application is for a permit to do ordinary maintenance and repairs
2 only. For the purpose of this Article 10, "ordinary maintenance and repairs" shall mean any
3 work, the sole purpose and effect of which is to correct deterioration, decay or damage of
4 existing materials, including repair of damage caused by fire or other disaster;

5 (4) When the application is for a permit to maintain, repair, rehabilitate, or
6 improve streets and sidewalks, including sidewalk widening, accessibility, and bulb-outs,
7 unless such streets and sidewalks have been explicitly called out in a landmark's or district's
8 designating ordinance as character defining features of the landmark or district;

9 (5) When the application is for a permit to alter a landing or install a power-assist
10 operator to provide an accessible entrance to a landmark or district, provided that the improvements
11 conform to the requirements outlined in Section 1006.6;

12 (6) When the application is for a permit to install business signs or awnings as defined
13 in Section 602 of this Code to a landmark or district, provided that signage, awnings, and transparency
14 conform to the requirements outlined in Section 1006.6;

15 (7) When the application is for a permit to install non-visible rooftop appurtenances to
16 a landmark or district, provided that the improvements conform to the requirements outlined in Section
17 1006.6; or

18 (8) When the application is for a permit to install non-visible, low-profile skylights,
19 provided that the improvements conform to the requirements outlined in Section 1006.6; or

20 (9) When the application is for a permit to install a City-sponsored Landmark plaque to
21 a landmark or district, provided that the improvements conform to the requirements outlined in Section
22 1006.6 of this Code.

23 * * * *

24
25 **SEC. 1111.1. DETERMINATION OF MINOR AND MAJOR ALTERATIONS.**

* * * *

(c) All applications for a Permit to Alter that are not Minor Alterations delegated to Department staff shall be scheduled for a hearing by the HPC pursuant to the procedures in Section 1111.4 and 1111.5 below. Notwithstanding the foregoing, in the following cases the Department shall process the permit application without further reference to the Permit to Alter procedures outlined herein:

(1) When the application is for a permit to make improvements to provide an accessible entrance to a Significant or Contributory building or any building within a Conservation District provided that the improvements conform to the requirements outlined in Section 1111.6 of this Code;

(2) When the application is for a permit to install business signs to a Significant or Contributory building or any building within a Conservation District provided that signage and transparency conform to the requirements outlined in Section 1111.6 of this Code; or

(3) When the application is for a permit to install non-visible rooftop appurtenances to a Significant or Contributory building or any building within a Conservation District provided that the improvements conform to the requirements outlined in Section 1111.6 of this Code.

SEC. 1111.2. SIGN PERMITS.

(a) New general advertising signs are prohibited in any Conservation District or on any historic property regulated by this Article 11.

(b) If a permit for a sign is required pursuant to Article 6 of this Code, the requirements of this Section shall apply to such permit in addition to those of Article 6.

(c) In addition to the requirements of Article 6, an application for a business sign, general advertising sign, identifying sign, or nameplate to be located on a Significant or Contributory Building or any building in a Conservation District shall be subject to review *by the HPC* pursuant to the provisions of this Article. The HPC, or the Planning Department pursuant to

1 Section 1111.1 of this Code, shall disapprove the application or approve it with modifications to
2 conform to the requirements outlined in Section 1111.6 of this Code, including if the proposed
3 location, materials, typeset, size of lettering, means of illumination, method of replacement, or
4 the attachment ~~would adversely affect~~ so that the special architectural, historical or aesthetic
5 significance of the subject building or the Conservation District are preserved. No application
6 shall be denied on the basis of the content of the sign.

7
8 Section 6. Planning Commission Policy Requiring Pre-Application Meetings.

9 This Section is uncodified. The Planning Commission shall adopt a policy to require a
10 Pre-Application meeting between the applicant and adjacent neighbors for all applications for
11 work excepted from the definition of Alterations under Section 311(b)(2) that include features
12 described in Section 136(c)(25) before an application for the limited rear yard addition may be
13 submitted.

14
15 Section 7. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

19
20 Section 8. Operative Dates.

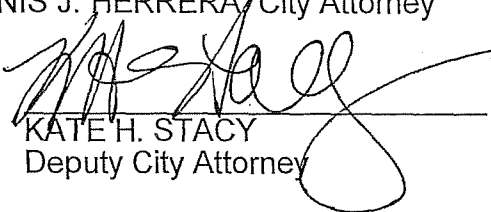
21 (a). The Amendments contained in Sections 3 and 5 of this ordinance, including
22 revisions to Planning Code Sections 206.4, 309, 315, 1005, 1111.1, and 1111.2; the addition
23 of new Planning Code Section 315.1; and deletion of Planning Code Section 328, shall
24 become operative on the Effective Date.

1 (b) The Amendments contained in Section 4 of this ordinance, including amendments
2 to Planning Code Sections 202.5, 302, 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311,
3 317, 329, 330.7, 1006.3, and 1111.4, deletions of Planning Code Sections 306.10 and 312,
4 and addition of new Planning Code Section 333, shall become operative on January 1, 2019.
5

6 Section 9. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.
12

13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA City Attorney

15 By:


16 KATE H. STACY
17 Deputy City Attorney

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24
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REVISED LEGISLATIVE DIGEST
(Amended in Committee, 6/11/2018)

[Planning Code –Review for Downtown and Affordable Housing Projects; Notification Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts.]

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Affordable Housing Projects

Under Planning Code Section 315, affordable housing projects (without a density bonus) are considered principally permitted uses and could seek certain exceptions to Planning Code requirements. Affordable housing projects seeking approval under Section 315 may use exceptions that are permitted based on the size and location of the development lot. The Code does not allow an affordable housing project to seek exceptions from other project authorization types in other zoning districts, or those which apply to other lot types. The Planning Department is authorized to review and approve an affordable housing project, but an individual may request discretionary review of an affordable housing project before the Planning Commission.

100% Affordable Housing Bonus Projects (“Bonus Projects”) are not subject to density limits set by ratio, but are subject only to the constraints on density based on height, bulk, setbacks and other relevant Planning Code provisions. These Bonus Projects are eligible for certain modifications to the Planning Code related to parking, open space, rear yard, dwelling unit exposure, and loading. Bonus Projects are approved through an authorization process, Planning Code Section 328, which provides for a Planning Commission hearing and an appeal to the Board of Supervisors, but Bonus Projects are not required to seek conditional use authorization. The Planning Commission does not hear separate discretionary review requests for Bonus Projects.

Noticing Requirements

The Planning Code contains numerous notice provisions for several different kinds of approvals. Notification requirements for permit review and entitlement hearings vary throughout the Code. There are over 30 noticing processes and criteria based on the location and type of project proposed.

Planning Code Section 311 provides residential permit review procedures for RH, RM, and RTO districts, and Section 312 provides permit review procedures for all NC and Eastern Neighborhoods Mixed Use Districts and for Cannabis Retail and Medical Cannabis Dispensary Uses in all non-residential zoning districts.

Historic buildings

Planning Code Section 1005 identifies four minor scopes of work that are exempt from Article 10 review. Section 1111.1 includes two scopes of work that are considered Minor Alterations under Article 11.

Amendments to Current Law

The legislation provides new procedures in 3 different areas, as follows.

1. Affordable Housing Projects

The proposed amendments add 2 new exceptions to Section 309 that may be requested – exposure requirements set forth in Planning Code Section 140 and usable open space requirements of Section 135. Under proposed Section 315, affordable housing projects may utilize the exceptions of Section 309, as well as other Code sections, regardless of the location of the housing project and lot size requirements. Conditional use authorization for affordable housing projects is not required. Section 315 allows the Planning Department to administratively review and approve an affordable housing project and no discretionary review hearing would occur before the Planning Commission as long as the Planning Commission delegates this review to the Planning Department. The Planning Department approval would be conducted as part of a related building permit application, and any appeal of the Planning Department's determination would be made through the associated building permit, which appeal would be to the Board of Appeals.

For Bonus Projects, Planning Code Section 328 would be deleted and the requirements would be set forth in new Planning Code Section 315.1. Bonus Projects would continue to be eligible to use the same exceptions as previously provided in Planning Code Section 328. The Planning Director rather than the Planning Commission would review Bonus Projects and must make certain findings, and no hearing before the Planning Commission would be required. No discretionary review hearing would occur before the Planning Commission as long as the Planning Commission delegates this review to the Planning Department. The

Planning Department's approval would be conducted as part of a related building permit application, and any appeal of the Planning Department's determination would be through the associated building permit, which appeal would be to the Board of Appeals.

2. General Noticing Requirements

New Planning Code Section 333 sets forth procedures for all public notifications required by the Planning Code, for hearings before the Planning Commission, Historic Preservation Commission and the Zoning Administrator for which public notice is required, and for certain building permit applications. It would provide a Notification Period no fewer than 20 days prior to the date of a hearing, or prior to the date of Planning Department approval of certain building permit applications.

Section 333 sets forth requirements for (1) the contents of notices, (2) posted notices on the site, (3) mailed notice to owners and, when practicable, occupants located within no less than 150 feet of a proposed project application, or as may otherwise be required by State law, as well as to neighborhood organizations and individuals who have made written requests for notice, (4) online notice, and (5) newspaper notice when required by State law. There are also notice requirements for legislative actions.

The Zoning Administrator may waive duplicate notice for applications that are the subject of an otherwise duly noticed public hearing before the Planning Commission or Zoning Administrator, provided that the nature of work for which the application is required is both substantially included in the hearing notice and was the subject of the hearing. The Zoning Administrator may determine the means of delivering all forms of required public notice, provided that the requirements of Section 333 are satisfied.

Section 312 is proposed to be deleted in its entirety, and Section 311 would provide notice and review procedures for building permit applications in Residential, NC, NCT, and Eastern Neighborhoods Districts for a change of use; establishment of a Micro Wireless Telecommunications Services Facility and a Formula Retail Use; demolition, new construction, or alteration of buildings; and the removal of an authorized or unauthorized residential unit.

Section 311 notice will no longer be required for certain increases to the exterior dimensions of a buildings listed in Section 136(c)(1) through 136(c)(26) in districts where those sections apply, except where the existing structure has been expanded in the prior 3 years. The legislation directs the Planning Commission to adopt a policy requiring a preapplication meeting for proposed expansions with the characteristics described in Section 136(c)(25).

3. Historic Buildings

Section 1005 would include five additional scopes of work that are not subject to Article 10 review. Section 1111.1 would include three scopes of work that would not require a Permit to

FILE NO. 180423

Alter under Article 11, including certain signs that comply with the provisions of Section 1111.6. Section 1111.2 also reflects the updated review processes for signs.

Operative Dates.

The Legislation also includes 2 operative dates as follows:

The Amendments contained in Sections 3 and 5 of the ordinance, including revisions to Planning Code Sections 206.4, 309, 315, 1005, 1111.1, and 1111.2; the addition of new Planning Code Section 315.1; and deletion of Planning Code Section 328, would become operative on the Effective Date. The Amendments contained in Section 4 of the ordinance, including amendments to Planning Code Sections 202.5, 302, 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, deletions of Planning Code Sections 306.10 and 312, and addition of new Planning Code Section 333, would become operative on January 1, 2019.

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**SAN FRANCISCO
PLANNING DEPARTMENT**

180423
SUBMITTED +
PRESENTED
6/11/2018

**Planning Commission
Resolution No. 20198**

HEARING DATE: JUNE 7, 2018
CORRECTED DATE: JUNE 11, 2018

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Project Name: Mayor's Process Improvements Ordinance
Case Number: 2018-004633PCA, [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018;
reintroduced May 15, 2018
Staff Contact: Jacob Bintliff, Senior Planner
jacob.bintliff@sfgov.org, 415-575-9170
Reviewed by: Kate Conner, Principal Planner
kate.conner@sfgov.org, 415-575-6914

RESOLUTION APPROVING A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO STREAMLINE AFFORDABLE HOUSING PROJECT REVIEW BY ELIMINATING A PLANNING COMMISSION DISCRETIONARY REVIEW HEARING FOR 100% AFFORDABLE HOUSING PROJECTS UPON DELEGATION BY THE PLANNING COMMISSION; TO PROVIDE FOR PLANNING DEPARTMENT REVIEW OF LARGE PROJECTS LOCATED IN C-3 DISTRICTS AND FOR CERTAIN MINOR ALTERATIONS TO HISTORICAL LANDMARKS AND IN CONSERVATION DISTRICTS; TO CONSOLIDATE, STANDARDIZE AND STREAMLINE NOTIFICATION REQUIREMENTS AND PROCEDURES, INCLUDING REQUIRED NEWSPAPER NOTICE, IN RESIDENTIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AND 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 ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 24, 2018 Mayor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, on May 15, 2018 Mayor Farrell re-introduced the proposed Ordinance under the same Board File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large

downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 7, 2018; and

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

WHEREAS, the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Commission hereby approves with modifications the Ordinance as described within this resolution.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed amendments to Section 315 of the Planning Code would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.

2. The proposed amendments to delete Section 328 and establish a new Section 315.1 of the Planning Code would streamline the review process for 100% Affordable Housing Bonus projects, and strike an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
3. The proposed amendments to Section 309 of the Planning Code would remove an additional layer of review for most large residential projects in the downtown C-3 districts by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.
4. The proposed amendments to consolidate Section 311 and 312 into a single Section 311, establish a new Section 333, and delete or amend, as appropriate, various other Planning Code sections to reference the same, would establish uniform and consistent notification requirements for all Building Permit Applications and public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval.
5. The proposed amendments to establish a new Section 333 would significantly expand public access to public notification, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period, and serve the purpose and intent of the current newspaper notification requirement to greater effect and at significantly lower cost. The format and content requirements of the new Section 333 would reduce wasted paper and cost that result from current notification requirements.
- ~~6. The proposed Ordinance would amend Section 311 to allow for the limited rear yard addition permitted under Section 136(c)(25) to be approved the same day they are submitted at the Planning Information Counter. This same day approval would significantly reduce the volume of permits in the review backlog. The Department estimates that allowing these projects alone to be approved "over the counter" would save roughly two full time equivalents (FTE) of staff time that could be spent on review of priority housing projects.~~

~~Same day approval for this type of addition is appropriate, considering that the potential impacts to mid-block open spaces and neighboring properties are already mitigated through the bulk and height limitations codified in Section 136(e)(25). Specifically, a one-floor rear addition is limited to 10 feet in height, which is also the maximum height for a permitted lot line fence meaning such additions would not be visible from neighboring properties, and such an addition would be limited to a maximum of 300 gross square feet of floor area for a typical 25-foot wide lot. A two-floor addition would be limited the floor height of the third level of the existing structure and also must be set back by five feet on either side from both interior lot lines, allowing for a maximum addition of 360 gross square feet of floor area for a typical 25-foot wide lot. This permitted envelope is consistent with the standards contained for such additions in the Residential Design Guidelines, thus ensuring consistency with applicable design standards. No rear addition permitted through Section 136(e)(25) would be permitted to expand into the rear 25 percent of the lot or within 15 feet of the rear lot line, whichever is greater, in any case. As for any other Building Permit, permits approved pursuant to this Section will remain appealable to the Board of Appeals.~~

~~7.6.~~ The proposed amendments to Section 1005 and 1111 to allow for permits for minor and routine scopes of work that currently require an Administrative Certificate of Appropriateness or Minor Permit to Alter under Section 1005 and 1111 of the Planning Code to be eligible for same-day administrative approval by the Planning Department, provided the projects conform to the relevant guidelines and standards as provided in Planning Code sections 1006.6 and 1111.6 is estimated to reduce the permit review case load for Preservation planners by roughly one-third in any given year, allowing staff to focus more time on priority housing projects and other Preservation planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.

~~8.7.~~ **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 8

BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE, AND MAINTAIN AFFORDABLE HOUSING

Policy 71

Planning staff shall support affordable housing projects in the development review process, including allowing sponsors of permanently affordable housing to take full advantage of allowable densities provided their projects are consistent with neighborhood character.

The proposed Ordinance would allow Planning staff to support affordable housing projects, including those seeking additional density through the 100% Affordable Housing Bonus Program, through new and enhanced administrative review procedures, provided that projects are in conformity with all applicable design guidelines and standards.

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH AND TRANSPARENT DECISION-MAKING PROCESS

The proposed Ordinance would allow the Planning Department to implement various streamlining strategies to better implement the Department's planning and review function, especially for new housing and affordable housing developments, while dramatically expanding access to public information regarding projects under review by the Planning Department and public hearings by consolidating and modernizing public notification requirements and procedures.

9.8. Planning Code Section 101 Findings. The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. The proposed Ordinance will likely support neighborhood-serving retail establishments when those establishments are located in an historic landmark building or in a designated building in a conservation district by allowing such business to seek administrative same-day approval of minor alterations to install business signage, awnings or automatic door operators. The proposed Ordinance would support neighborhood-serving retail generally by streamlining and modernizing the notification requirements applicable to commercial establishments in Section 312/new Section 311 by reducing the risk of delays due to minor errors in implementing these requirements.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on existing housing or neighborhood character. The proposed amendments to the review process for affordable housing projects and 100% Affordable Housing Bonus projects would maintain all existing requirements related to design standards for such projects, as applicable.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would support the City's ability to increase the supply of affordable housing, by providing new streamlined administrative approval procedures specifically for 100% affordable housing developments.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The proposed Ordinance would allow for certain minor alterations to City landmarks and historic structures, as specified, to be approved administratively provided these alterations conform to applicable guidelines of the Planning Code.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

10.9. Planning Code Section 302 Findings. The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DELEGATES its authority of Discretionary Review to the Planning Department to review applications for Affordable Housing Projects or 100% Affordable Housing Bonus Program projects, pursuant to the administrative approval procedures and requirements to be established in Sections 315 or 315.1, respectively, of the Planning Code, provided such procedures and requirements are duly enacted by law; and

BE IT FURTHER RESOLVED that the Commission hereby amends the Commission's Pre-Application Meeting Policy to require a Pre-Application meeting for applications for a limited rear yard addition consistent with the dimensions in Section 136(c)(25), even when notification is not otherwise required.


BE IT FURTHER RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with modifications as described here:

1. Section 315(c) regarding the review process for 100% affordable housing projects should be further amended to explicitly require that projects approved administratively through Section 315 must be "consistent with the Urban Design Guidelines and any other applicable design guidelines."
2. The proposed Section 333(e)(1) regarding posted notice should be amended to include the following language:

The requirements of this Subsection 333(e)(1) may be modified upon a determination by the Zoning Administrator that a different location for the sign would provide better notice or that physical conditions make this requirement impossible or impractical, in which case the sign shall be posted as directed by the Zoning Administrator.
3. The proposed Section 333(e)(1) regarding posted notice should be further amended to add language requiring all posters to be placed in a manner that is "visible and legible from the sidewalk or nearest public right-of-way."
4. The proposed Section 333(e)(2) regarding mailed notice should be amended to require minimum dimensions of 5-1/2 x 8-1/2 inches (a standard half-sheet) to ensure that the required contents for mailed notice can be accommodated while still allowing for mailed notice to be provided on a double-sided card.
5. The proposed Section 333(c) should be amended such that the Notification Period is no fewer than 30 calendar days, rather than the 20 days proposed.
6. Section 311(b)(2) should be amended such that the features listed in Section 136(c)(25) should *not* be excepted from the definition of Alterations subject to notification requirements.
7. The proposed Section 333(b) should be amended such that the Zoning Administrator shall determine the means of delivering all forms of public notice, *in a manner consistent with the Planning Commission's policy on notification*, provided that the contents of Section 333 are satisfied. The Ordinance should further be amended such that changed notification procedures would become operative only upon adoption of the Planning Commission policy.
8. The Planning Commission should receive regular reporting on the status and results of the process improvement efforts included in the Ordinance, beginning no later than one year after the effective date of the Ordinance.
9. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall provide the San Francisco prevailing wage for construction work associated with the project.
10. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in conformity with the San Francisco Building Code.

11. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in a manner that is consistent with all applicable standards for affordable housing developments, as determined by the Mayor's Office of Housing and Community Development.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 24, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Forig, Hillis, Johnson, Koppel, Melgar, Richards

NOES: Moore

ABSENT: None

ADOPTED: June 7, 2018



SAN FRANCISCO PLANNING DEPARTMENT

June 8, 2018

Ms. Angela Calvillo, Clerk
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Re: Transmittal of Planning Department Case Number 2018-004633PCA
Mayor's Process Improvements Ordinance

**Board File No. 180423: Review for Downtown and Affordable Housing Projects;
Notification Requirements; Review of Alterations of Historical Landmarks and
in Conservation Districts.**

**Historic Preservation Commission Recommendation: Approval
Planning Commission Recommendation: Approval with Modifications**

Dear Ms. Calvillo and Honorable Supervisors,

On May 16, 2018, the Historic Preservation Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance that would amend the Planning Code to streamline review of 100% affordable housing projects, eliminate duplicative review processes for most large residential projects in downtown C-3 districts, consolidate and modernize notification requirements and procedures, and provide for expedited review of minor alterations to historic landmark buildings and designated buildings in conservation districts. At the hearing the Historic Preservation Commission recommended approval of the Ordinance.

On June 7, 2018, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the same proposed Ordinance. At the hearing the Planning Commission recommended approval with modifications, as follows.

1. Section 315(c) regarding the review process for 100% affordable housing projects should be further amended to explicitly require that projects approved administratively through Section 315 must be "consistent with the Urban Design Guidelines and any other applicable design guidelines."
2. The proposed Section 333(e)(1) regarding **posted notice** should be amended to include the following language:

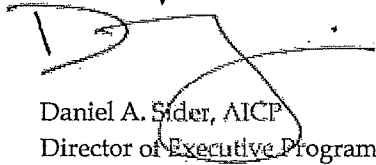
The requirements of this Subsection 333(e)(1) may be modified upon a determination by the Zoning Administrator that a different location for the sign would provide better notice or that physical conditions make this requirement impossible or impractical, in which case the sign shall be posted as directed by the Zoning Administrator.

3. The proposed Section 333(e)(1) regarding posted notice should be further amended to add language requiring all posters to be placed in a manner that is "visible and legible from the sidewalk or nearest public right-of-way."
4. The proposed Section 333(e)(2) regarding mailed notice should be amended to require minimum dimensions of 5-1/2 x 8-1/2 inches (a standard half-sheet) to ensure that the required contents for mailed notice can be accommodated while still allowing for mailed notice to be provided on a double-sided card.
5. The proposed Section 333(c) should be amended such that the Notification Period is no fewer than 30 calendar days, rather than the 20 days proposed.
6. Section 311(b)(2) should be amended such that the features listed in Section 136(c)(25) should *not* be excepted from the definition of Alterations subject to notification requirements.
7. The proposed Section 333(b) should be amended such that the Zoning Administrator shall determine the means of delivering all forms of public notice, *in a manner consistent with the Planning Commission's policy on notification*, provided that the contents of Section 333 are satisfied. The Ordinance should further be amended such that changed notification procedures would become operative only upon adoption of the Planning Commission policy.
8. The Planning Commission should receive regular reporting on the status and results of the process improvement efforts included in the Ordinance, beginning no later than one year after the effective date of the Ordinance.
9. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall provide the San Francisco prevailing wage for construction work associated with the project.
10. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in conformity with the San Francisco Building Code.
11. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in a

manner that is consistent with all applicable standards for affordable housing developments, as determined by the Mayor's Office of Housing and Community Development.

Supervisors, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission into the proposed Ordinance. Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,



Daniel A. Sider, AICP
Director of Executive Programs

cc:

Erica Major, Assistant Clerk of the Board
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Menaka Mohan, Aide to Supervisor Tang
Bobbi Lopez, Aide to Supervisor Kim
Suhagey Sandoval, Aide to Supervisor Safai
Kanishka Karunaratne, Mayor's Office of Economic and Workforce Development
bos.legislation@sfgov.org

Attachments:

Historic Preservation Commission Resolution No. R-959
Planning Commission Resolution No. R-20198
Planning Department Executive Summary for 2018-004633PCA



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 959 HEARING DATE MAY 16, 2018

Project Name: Mayor's Process Improvements Ordinance
Case Number: 2018-004633PCA, [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018
Staff Contact: Jacob Bintliff, Senior Planner
jacob.bintliff@sfgov.org, 415-575-9170
Reviewed by: Kate Conner, Principal Planner
kate.conner@sfgov.org, 415-575-6914

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RESOLUTION RECOMMENDING APPROVAL OF A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO STREAMLINE AFFORDABLE HOUSING PROJECT REVIEW BY ELIMINATING A PLANNING COMMISSION DISCRETIONARY REVIEW HEARING FOR 100% AFFORDABLE HOUSING PROJECTS UPON DELEGATION BY THE PLANNING COMMISSION; TO PROVIDE FOR PLANNING DEPARTMENT REVIEW OF LARGE PROJECTS LOCATED IN C-3 DISTRICTS AND FOR CERTAIN MINOR ALTERATIONS TO HISTORICAL LANDMARKS AND IN CONSERVATION DISTRICTS; TO CONSOLIDATE, STANDARDIZE AND STREAMLINE NOTIFICATION REQUIREMENTS AND PROCEDURES, INCLUDING REQUIRED NEWSPAPER NOTICE, IN RESIDENTIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AND 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 ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 24, 2018 Mayor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, the Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 16, 2018; and

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Historic Preservation Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Historic Preservation Commission has reviewed the proposed Ordinance; and

WHEREAS, the Historic Preservation Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Historic Preservation Commission hereby **approves** the proposed Ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed amendments to Section 315 of the Planning Code would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
2. The proposed amendments to delete Section 328 and establish a new Section 315.1 of the Planning Code would streamline the review process for 100% Affordable Housing Bonus project, and strike an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.

3. The proposed amendments to Section 309 of the Planning Code would remove an additional layer of review for most large residential projects in the downtown C-3 districts by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.
4. The proposed amendments to consolidate Section 311 and 312 into a single Section 311, establish a new Section 333, and delete or amend, as appropriate, various other Planning Code sections to reference the same, would establish uniform and consistent notification requirements for all Building Permit Applications and public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval.
5. The proposed amendments to establish a new Section 333 would significantly expand public access to public notification, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period, and serve the purpose and intent of the current newspaper notification requirement to greater effect and at significantly lower cost. The format and content requirements of the new Section 333 would reduce wasted paper and cost that result from current notification requirements.
6. The proposed amendments to Section 311 to allow for the limited rear yard addition permitted under Section 136(c)(25) to be approved at the Planning Information Counter, which would significantly reduce the permit volume under review by planners. The Department estimates that allowing these projects alone to be approved "over the counter" would save roughly two full time equivalents (FTE) of staff time that could be spent on review of priority housing projects.
7. The proposed amendments to Section 1005 and 1111 to allow for permits for minor and routine scopes of work that currently require a Certificate of Appropriateness or Permit to Alter under Section 1005 and 1111 of the Planning Code to be approved administratively by Planning Department staff at the Planning Information Center counter, provided the projects confirm to the relevant guidelines and standards in Planning Code sections 1006.6 and 1111.6 is estimated to reduce the permit review case load for Preservation planners by roughly one-third on an annual basis, allowing staff to focus more time on priority housing projects and other Preservation

planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.

8. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 8

BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE, AND MAINTAIN AFFORDABLE HOUSING

Policy 71

Planning staff shall support affordable housing projects in the development review process, including allowing sponsors of permanently affordable housing to take full advantage of allowable densities provided their projects are consistent with neighborhood character.

The proposed Ordinance would allow Planning staff to support affordable housing projects, including those seeking additional density through the 100% Affordable Housing Bonus Program, through new and enhanced administrative review procedures, provided that projects are in conformity with all applicable design guidelines and standards.

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH AND TRANSPARENT DECISION-MAKING PROCESS

The proposed Ordinance would allow the Planning Department to implement various streamlining strategies to better implement the Department's planning and review function, especially for new housing and affordable housing developments, while dramatically expanding access to public information regarding projects under review by the Planning Department and public hearings by consolidating and modernizing public notification requirements and procedures.

9. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. The proposed Ordinance will likely support neighborhood-serving retail establishments when those establishments are located in an historic landmark building or in a conservation district by

allowing such business to seek administrative same-day approval of minor alterations to install business signage or automatic door operators. The proposed Ordinance would support neighborhood-serving retail generally by streamlining and modernizing the notification requirements applicable to commercial establishments in Section 312/new Section 311 by reducing the risk of delays due to minor errors in implementing these requirements.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on existing housing or neighborhood character. The proposed amendments to the review process for affordable housing projects and 100% Affordable Housing Bonus projects would maintain all existing requirements related to design standards for such projects, as applicable.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would support the City's ability to increase the supply of affordable housing, by providing new streamlined administrative approval procedures specifically for 100% affordable housing developments.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The proposed Ordinance would allow for certain minor alterations to City landmarks and historic structures, as specified, to be approved administratively provided these alterations conform to applicable guidelines of the Planning Code.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

10. **Planning Code Section 302 Findings.** The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DELEGATES the Commission's authority to review applications for such Minor Alterations as defined in Section 1111.1, as amended, to Planning Department staff; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION TO APPROVE the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 16, 2018



Jonas P. Ionin
Commission Secretary

AYES: Wolfram, Hyland, Johnck, Matsuda, Johns, Black

NOES: None

ABSENT: Pearlman

ADOPTED: June 6, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20198

HEARING DATE JUNE 7, 2018

Project Name: Mayor's Process Improvements Ordinance
Case Number: 2018-004633PCA, [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018;
reintroduced May 15, 2018
Staff Contact: Jacob Bintliff, Senior Planner
jacob.bintliff@sfgov.org, 415-575-9170
Reviewed by: Kate Conner, Principal Planner
kate.conner@sfgov.org, 415-575-6914

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RESOLUTION APPROVING A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO STREAMLINE AFFORDABLE HOUSING PROJECT REVIEW BY ELIMINATING A PLANNING COMMISSION DISCRETIONARY REVIEW HEARING FOR 100% AFFORDABLE HOUSING PROJECTS UPON DELEGATION BY THE PLANNING COMMISSION; TO PROVIDE FOR PLANNING DEPARTMENT REVIEW OF LARGE PROJECTS LOCATED IN C-3 DISTRICTS AND FOR CERTAIN MINOR ALTERATIONS TO HISTORICAL LANDMARKS AND IN CONSERVATION DISTRICTS; TO CONSOLIDATE, STANDARDIZE AND STREAMLINE NOTIFICATION REQUIREMENTS AND PROCEDURES, INCLUDING REQUIRED NEWSPAPER NOTICE, IN RESIDENTIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AND 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 ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 24, 2018 Mayor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, on May 15, 2018 Mayor Farrell re-introduced the proposed Ordinance under the same Board File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large

downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 7, 2018; and

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

WHEREAS, the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Commission hereby **approves with modifications** the Ordinance as described within this resolution.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed amendments to Section 315 of the Planning Code would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.

2. The proposed amendments to delete Section 328 and establish a new Section 315.1 of the Planning Code would streamline the review process for 100% Affordable Housing Bonus projects, and strike an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
3. The proposed amendments to Section 309 of the Planning Code would remove an additional layer of review for most large residential projects in the downtown C-3 districts by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.
4. The proposed amendments to consolidate Section 311 and 312 into a single Section 311, establish a new Section 333, and delete or amend, as appropriate, various other Planning Code sections to reference the same, would establish uniform and consistent notification requirements for all Building Permit Applications and public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval.
5. The proposed amendments to establish a new Section 333 would significantly expand public access to public notification, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period, and serve the purpose and intent of the current newspaper notification requirement to greater effect and at significantly lower cost. The format and content requirements of the new Section 333 would reduce wasted paper and cost that result from current notification requirements.
6. The proposed Ordinance would amend Section 311 to allow for the limited rear yard addition permitted under Section 136(c)(25) to be approved the same day they are submitted at the Planning Information Counter. This same-day approval would significantly reduce the volume of permits in the review backlog. The Department estimates that allowing these projects alone to be approved

"over the counter" would save roughly two full time equivalents (FTE) of staff time that could be spent on review of priority housing projects.

Same-day approval for this type of addition is appropriate, considering that the potential impacts to mid-block open spaces and neighboring properties are already mitigated through the bulk and height limitations codified in Section 136(c)(25). Specifically, a one-floor rear addition is limited to 10 feet in height, which is also the maximum height for a permitted lot line fence meaning such additions would not be visible from neighboring properties, and such an addition would be limited to a maximum of 300 gross square feet of floor area for a typical 25-foot wide lot. A two-floor addition would be limited the floor height of the third level of the existing structure and also must be set back by five feet on either side from both interior lot lines, allowing for a maximum addition of 360 gross square feet of floor area for a typical 25-foot wide lot. This permitted envelope is consistent with the standards contained for such additions in the Residential Design Guidelines, thus ensuring consistency with applicable design standards. No rear addition permitted through Section 136(c)(25) would be permitted to expand into the rear 25 percent of the lot or within 15 feet of the rear lot line, whichever is greater, in any case. As for any other Building Permit, permits approved pursuant to this Section will remain appealable to the Board of Appeals.

7. The proposed amendments to Section 1005 and 1111 to allow for permits for minor and routine scopes of work that currently require an Administrative Certificate of Appropriateness or Minor Permit to Alter under Section 1005 and 1111 of the Planning Code to be eligible for same-day administrative approval by the Planning Department, provided the projects confirm to the relevant guidelines and standards as provided in Planning Code sections 1006.6 and 1111.6 is estimated to reduce the permit review case load for Preservation planners by roughly one-third in any given year, allowing staff to focus more time on priority housing projects and other Preservation planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.
8. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 8

BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE, AND MAINTAIN AFFORDABLE HOUSING

Policy 71

Planning staff shall support affordable housing projects in the development review process, including allowing sponsors of permanently affordable housing to take full advantage of allowable densities provided their projects are consistent with neighborhood character.

The proposed Ordinance would allow Planning staff to support affordable housing projects, including those seeking additional density through the 100% Affordable Housing Bonus Program, through new and enhanced administrative review procedures, provided that projects are in conformity with all applicable design guidelines and standards.

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH AND TRANSPARENT DECISION-MAKING PROCESS

The proposed Ordinance would allow the Planning Department to implement various streamlining strategies to better implement the Department's planning and review function, especially for new housing and affordable housing developments, while dramatically expanding access to public information regarding projects under review by the Planning Department and public hearings by consolidating and modernizing public notification requirements and procedures.

9. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. The proposed Ordinance will likely support neighborhood-serving retail establishments when those establishments are located in an historic landmark building or in a designated building in a conservation district by allowing such business to seek administrative same-day approval of minor alterations to install business signage, awnings or automatic door operators. The proposed Ordinance would support neighborhood-serving retail generally by streamlining and modernizing the notification requirements applicable to commercial establishments in Section 312/new Section 311 by reducing the risk of delays due to minor errors in implementing these requirements.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on existing housing or neighborhood character. The proposed amendments to the review process for affordable housing projects and 100% Affordable Housing Bonus projects would maintain all existing requirements related to design standards for such projects, as applicable.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would support the City's ability to increase the supply of affordable housing, by providing new streamlined administrative approval procedures specifically for 100% affordable housing developments.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The proposed Ordinance would allow for certain minor alterations to City landmarks and historic structures, as specified, to be approved administratively provided these alterations conform to applicable guidelines of the Planning Code.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

10. **Planning Code Section 302 Findings.** The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DELEGATES its authority of Discretionary Review to the Planning Department to review applications for Affordable Housing Projects or 100% Affordable Housing Bonus Program projects, pursuant to the administrative approval

procedures and requirements to be established in Sections 315 or 315.1, respectively, of the Planning Code, provided such procedures and requirements are duly enacted by law; and

BE IT FURTHER RESOLVED that the Commission hereby amends the Commission's Pre-Application Meeting Policy to require a Pre-Application meeting for applications for a limited rear yard addition consistent with the dimensions in Section 136(c)(25), even when notification is not otherwise required.

BE IT FURTHER RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with modifications as described here:

1. Section 315(c) regarding the review process for 100% affordable housing projects should be further amended to explicitly require that projects approved administratively through Section 315 must be "consistent with the Urban Design Guidelines and any other applicable design guidelines."
2. The proposed Section 333(e)(1) regarding **posted notice** should be amended to include the following language:

The requirements of this Subsection 333(e)(1) may be modified upon a determination by the Zoning Administrator that a different location for the sign would provide better notice or that physical conditions make this requirement impossible or impractical, in which case the sign shall be posted as directed by the Zoning Administrator.

3. The proposed Section 333(e)(1) regarding posted notice should be further amended to add language requiring all posters to be placed in a manner that is "visible and legible from the sidewalk or nearest public right-of-way."
4. The proposed Section 333(e)(2) regarding mailed notice should be amended to require minimum dimensions of 5-1/2 x 8-1/2 inches (a standard half-sheet) to ensure that the required contents for mailed notice can be accommodated while still allowing for mailed notice to be provided on a double-sided card.
5. The proposed Section 333(c) should be amended such that the Notification Period is no fewer than 30 calendar days, rather than the 20 days proposed.
6. Section 311(b)(2) should be amended such that the features listed in Section 136(c)(25) should *not* be excepted from the definition of Alterations subject to notification requirements.
7. The proposed Section 333(b) should be amended such that the Zoning Administrator shall determine the means of delivering all forms of public notice, *in a manner consistent with the Planning Commission's policy on notification*, provided that the contents of Section 333 are satisfied. The Ordinance should further be amended such that changed notification procedures would become operative only upon adoption of the Planning Commission policy.

8. The Planning Commission should receive regular reporting on the status and results of the process improvement efforts included in the Ordinance, beginning no later than one year after the effective date of the Ordinance.
9. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall provide the San Francisco prevailing wage for construction work associated with the project.
10. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in conformity with the San Francisco Building Code.
11. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in a manner that is consistent with all applicable standards for affordable housing developments, as determined by the Mayor's Office of Housing and Community Development.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 24, 2018



Jonas T. Ioni
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards

NOES: Moore

ABSENT: None

ADOPTED: June 7, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Change

HEARING DATE: JUNE 7, 2018
90 DAY DEADLINE: JULY 31, 2018

Date: May 31, 2018
Project Name: Mayor's Process Improvements Ordinance
Case Number: 2018-004633PCA, [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018;
reintroduced May 15, 2018
Staff Contact: Jacob Bintliff, Senior Planner
jacob.bintliff@sfgov.org, 415-575-9170
Reviewed by: Kate Conner, Principal Planner
kate.conner@sfgov.org, 415-575-6914
Recommendation: *Approval with modifications*

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PLANNING CODE AMENDMENTS

The proposed Ordinance would amend the Planning Code to streamline review of 100% affordable housing projects, eliminate duplicative review processes for most large residential projects in downtown C-3 districts, consolidate and modernize notification requirements and procedures, and provide for expedited review of minor alterations to historic landmark buildings and designated buildings in conservation districts.

The Way It Is Now:

A. Review of 100% Affordable Housing Projects and Large Downtown Projects

1. Per Planning Code Section 315, 100% affordable housing projects (not seeking a density bonus) are considered principally permitted uses and may seek certain exceptions to Planning Code requirements. Affordable housing projects seeking approval under Section 315 may use exceptions that are permitted based on the size and location of the development lot (e.g. Section 329 exceptions available to large projects in the Eastern Neighborhoods) through administrative review and without action by the Planning Commission that would otherwise be required. The Code does not allow an affordable housing project to seek exceptions from other project authorization types in other zoning districts, or those which apply to other lot types. The Planning Department is authorized to review and approve an

affordable housing project administratively, but an individual may request Discretionary Review of an affordable housing project before the Planning Commission.

2. Planning Code Section 206.4 establishes the 100% Affordable Housing Bonus Program. Projects seeking approval pursuant to this section are eligible for certain density bonuses including increased density and height increases, and certain modifications to the Planning Code related to parking, open space, rear yard, dwelling unit exposure, and loading. Bonus Projects are approved through an authorization process set forth in Planning Code Section 328, which provides for a Planning Commission design review hearing, but Bonus Projects are not required to seek conditional use authorization. The Planning Commission does not hear separate Discretionary Review requests for Bonus Projects.
3. Planning Code Section 309 establishes review procedures for projects located in C-3 districts, which allows for certain exceptions to Planning Code requirements. These exceptions may be granted by the Planning Commission for projects of greater than 50,000 gross square feet or more than 75 feet in height, or administratively for smaller projects. For most projects in C-3 districts, a Planning Commission hearing is required due to the scale of the project.

B. Notification Requirements and Procedures

1. Planning Code Section 311 establishes notification requirements for certain Building Permit Applications under Planning Department review in Residential districts, including for limited horizontal additions in the rear yard permitted under Section 136(c)(25). Section 312 establishes notification requirements for certain Building Permit Applications in Neighborhood Commercial, Eastern Neighborhoods Mixed Use Districts, and for Cannabis Retail and Medical Cannabis Dispensaries.
2. Public hearings of the Planning Commission, Historic Preservation Commission, and Zoning Administrator also require public notification as set forth in Planning Code Sections 202.5, 302, 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 317, 329, 330.7, 1006.3, and 1111.4. In all, the various requirements set forth in the Planning Code mean there are over 30 unique sets of notification requirements that the Planning Department is responsible for implementing as a part of project review.
3. The various current requirements are summarized in the table attached here as Exhibit D, and a general description of the primary forms of notice is provided here:

Mailed notice: refers to notice of Planning Department review or public hearings and 11 x 17 inch plan sets mailed to recipients within specified geographic areas (generally, a 150' or 300' radius from the project site) and within specified notification periods (10, 20, or 30 days).

Posted notice: refers to posters of various dimensions that are produced by the Planning Department and placed at the project site by the project sponsor in certain cases and for various notification periods.

Newspaper notice: refers to a notice of public hearing that must appear in a newspaper of general circulation at least 20 days prior to hearings for certain actions.

C. Minor Alterations to Historic Buildings

1. Section 1005 of the Planning Code requires that proposed alterations to designated landmark buildings or buildings in a designated historic district must obtain a Certificate of Appropriateness from the Planning Department, except as provided in four specific cases established in Section 1005(e). The four exceptions currently provided are:
 - (1) An application to make alterations on a site where an individual landmark was legally demolished.
 - (2) An application to make alterations to an interior not designated as part of the Landmark Ordinance;
 - (3) An application for ordinary maintenance and repairs only; including repair of damage caused by fire or other disaster;
 - (4) An application to make alterations within the public right-of-way where no public right-of-way features are identified in the designating Ordinance for review by the HPC.
2. Section 1111 of the Planning Code requires that building, site, alteration, or other permits related to a Significant Contributory Building or a building within a Conservation District must obtain either a Major or Minor Permit to Alter. Major Permits to Alter may only be granted by the Historic Preservation Commission, while Minor Permits to Alter may be granted administratively by the Planning Department, provided that such permits are held at the Planning Department for a period of 20 days prior to approval.

The Way It Would Be:

A. Review of 100% Affordable Housing Projects and Large Downtown Projects

1. Planning Code Section 315 would continue to provide for administrative approval of 100% affordable housing projects (not seeking a density bonus) with exceptions that are permitted based on the size and location of the development lot (e.g. Section 329 exceptions available to large projects in the Eastern Neighborhoods). Section 315 would be amended to further **provide for administrative approval of 100% affordable housing projects with exceptions that could otherwise be granted to a Planned Unit Development (PUD)** under Section 304, irrespective of the size or location of the project and with the findings as required by Section 303(c). In addition, **these projects would not be subject to a public hearing for Discretionary Review**, provided that the Planning Commission delegates such authority to the Planning Department for affordable housing projects subject to approval through Section 315. Administrative approvals pursuant to Section 315 would continue to be appealable to the Board of Appeals.

2. Planning Code Section 206.4 establishing the **100% Affordable Housing Bonus Program** would be unchanged except for updated references to other Code sections, and the eligibility criteria, density bonuses, and zoning modifications available to eligible projects would remain in place. Section 328, which requires a design review hearing before the Planning Commission for such Bonus Projects would be deleted and replaced with a new Section 315.1, which would establish an **administrative approval process for 100% affordable housing projects seeking a density bonus**. This administrative approval process would be similar to that set forth in Section 315, but the Planning Code exceptions available to such projects would be limited to those currently provided for in Section 206.4. In addition, **these projects would not be subject to a public hearing for Discretionary Review**, provided that the Planning Commission delegates such authority to the Planning Department for Bonus Projects subject to approval through Section 315.1. Administrative approvals pursuant to Section 315.1 would be appealable to the Board of Appeals.

3. Planning Code Section 309 would be amended to allow for **two additional exceptions** to Planning Code requirements for projects in the C-3 districts. These exceptions would be to the **dwelling unit exposure** requirements of Section 140, and the **useable open space** requirements of Section 135. Planning Commission review for projects of greater than 50,000 square feet or 75 feet in height would still be required for approval.

B. Notification Requirements and Procedures

Note: The amendments contained in Section 4 of the Ordinance, regarding notification requirements and procedures as summarized below, would have an **operative date of January 1, 2019**. This is intended to allow sufficient time for the Department to fully and effectively implement the new procedures, should the amendments be enacted. All other sections of the Ordinance would become effective 30 days after enactment, per standard procedures.

1. Planning Code Section 312 would be deleted and the notification requirements for certain Building Permit Applications in Neighborhood Commercial, Eastern Neighborhoods Mixed Use Districts, and for Cannabis Retail and Medical Cannabis Dispensaries would be added to Section 311, which would be amended to serve as the **single Planning Code Section establishing notification requirements for Building Permit Applications in both Residential and non-residential districts**. There would be no change to the types of Building Permit Applications, including changes of use to certain use types that require notification under the current Section 312.

There would be one change to the types of Building Permit Applications that require notification in Residential Districts in Section 311: **limited horizontal additions in the rear yard, within the limits permitted under Section 136(c)(25) would no longer require notification**. Specifically, Section 136(c)(25) allows for a rear addition of no more than 12 feet in depth from lot line to lot line for a one floor addition (a maximum 300 gross square foot expansion for a typical 25-foot wide lot), or no more than 12 feet in depth with a 5-foot setback from the side lot lines for a two floor addition (a maximum 360 gross square foot expansion for a typical 25-foot wide lot).

2. All public hearings of the Planning Commission, Historic Preservation Commission, and Zoning Administrator that currently require notification would continue to require notification. However, the current requirements set forth in Planning Code sections 202.5, 302, 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 317, 329, 330.7, 1006.3, and 1111.4 would be amended or deleted, as appropriate, to reference a new Planning Code Section 333.

The new Planning Code Section 333 would establish a **uniform set public notification procedures** applicable to all public hearings and Building Permit Applications under Section 311 that require notification.

Planning Code Section 333 would establish the following universal notification procedures:

- **Universal notification period of 20 calendar days** for all forms of required notice (mailed, posted, online)

- New requirement that **posted notice** include at least **one poster for every 25 feet of street frontage** at the subject property. Posters would still be required to be placed as near to the street frontage as possible, but **specific requirements would be set forth in a Zoning Administrator Bulletin**, rather than in the Planning Code.
- **Universal notification area for all mailed notices of 150 feet** in all directions from the project site, except for notification for Building Permit Applications for Sutro Tower, which would continue to be subject to a 1,000 foot radius mailing requirement, per Section 306.9.
- **Universal notification groups** for all mailed notification, to include **property owners and tenants** of buildings within the notification area, as well as to **registered neighborhood organizations and individuals** who have requested mailed notice. Currently, tenants are only provided mailed notice for certain Building Permit Applications and hearings.
- Newspaper notice would be replaced with a new requirement for **online notice** on the Planning Department website.

Planning Code Section 333 would require a **posted, mailed, and online notice** for all Building Permit Applications and public hearings that currently require notification, except as follows:

- Public hearings to consider **proposed legislation** (e.g. Planning Code Amendments) would require **online notification only**. Such hearings currently require only newspaper notification.
- Public hearings to consider proposed legislation that would reclassify **specific properties** (e.g. Zoning Map Amendment) or to establish Interim Zoning Controls, if the subject area is **30 acres or less**, the hearing would require **online notice and mailed notice**.
- Public hearings to consider proposed legislation that would reclassify a **single property or development site** (e.g. a Zoning Map Amendment or Special Use District), the hearing would require **online notice, mailed notice, and posted notice**.

Planning Code Section 333 would establish the following uniform requirements for the **format and content of mailed, posted, and online notice**:

- **Mailed notice and posted notice** would include the **same required contents** (e.g. address and block/lot of project, basic project details, instructions on how to contact Planning staff and file for Discretionary Review, etc) as are currently provided.
- **Mailed notice** would no longer include printed 11 x 17 inch plan sets, and instead would include **instructions on how to either download plan sets online or obtain paper copies of the plan sets**.

- **Mailed notice** would have a size and dimension as determined by the Zoning Administrator, but would have a **required minimum size of 4-1/4 x 6 inches in size** (a standard postcard) in all cases.
- **Posted notice** would have a size and dimension as determined by the Zoning Administrator, but would require a **minimum size of 11 x 17 inches** in all cases.
- **Online notice** would include a **digital copy of the posted notice** and a **digital copy of the plans** associated with the project formatted to print on 11 x 17 inch paper, and would be **publicly available on the Planning Department website** for the entire duration of the notification period.
- All forms of notice would be required to include instructions on how to access **multilingual translation services**. Currently, only certain mailed notices are subject to the requirements of Section 306.10.

C. Minor Alterations to Historic Buildings

1. Section 1005 of the Planning Code would be amended to specifically **exempt the following five minor scopes of work** from the requirement to obtain a Certificate of Appropriateness, provided that the alterations conform to the standards and guidelines as provided for in Section 1006.6:
 - (1) When the application is for a permit to alter a landing or install a **power-assist operator to provide an accessible entrance**.
 - (2) When the application is for a permit to install **business signs or awnings**.
 - (3) When the application is for a permit to install **non-visible rooftop appurtenances**.
 - (4) When the application is for a permit to install **non-visible, low-profile skylights**.
 - (5) When the application is for a permit to install a **City-sponsored Landmark plaque**.

Permits for these scopes of work could be approved administratively by Planning Department staff without requiring Historic Preservation Commission approval, and permits that could currently be approved administratively with an Administrative Certificate of Appropriateness would be subject to same-day approval by a Preservation technical specialist at the Planning Information Center, rather than being added to the permit review queue.

2. Section 1111.1 of the Planning Code would be amended to specifically exempt the following three scopes from the requirement to obtain a Minor Permit to Alter, provided that the alterations conform to the standards and guidelines as provided for in Section 1111.6:

- (1) When the application is for a permit to alter a landing or install a power-assist operator to provide an accessible entrance.
- (2) When the application is for a permit to install business signs.
- (3) When the application is for a permit to install non-visible rooftop appurtenances.

Permits for these scopes of work could be approved administratively by Planning Department staff without requiring Historic Preservation Commission approval, and permits that could currently be approved administratively with a Minor Permit to Alter would be subject to same-day approval by a Preservation technical specialist at the Planning Information Center, rather than being added to the permit review queue.

BACKGROUND

On September 27, 2017 Mayor Edwin M. Lee issued Executive Directive 17-02¹ to establish approval deadlines and accountability measures related to entitlement and construction permit approvals for new housing developments. In accordance with the Directive, the Planning Department issued a Process Improvements Plan² on December 1, 2017 outlining a variety of measures to enhance our regulatory and development review functions in order to streamline the approval and construction of housing in San Francisco.

Many of the proposals included in the plan can be undertaken administratively or by action of the Planning Commission, and many of these are already underway, while other proposals require amendments to the Planning Code. Several of these proposals would be implemented by the Planning Code amendments in the proposed Ordinance.

ISSUES AND CONCERNS

A. Review of 100% Affordable Housing Projects and Large Downtown Projects

1. Though Section 315 already provides for administrative approval of 100% affordable housing developments, projects often seek Planning Code exceptions that cannot be provided administratively because the project is not located in a certain area (e.g. the Eastern Neighborhoods for exceptions provided under Section 329), or does not meet certain other criteria that are required for the specific exceptions current allowed for in Section 315. The structure of Section 315 limits the Department's ability to fulfill the intent of the Section, to

¹ <http://sfmayor.org/article/executive-directive-17-02>

² http://default.sfplanning.org/administration/communications/ExecutiveDirective17-02_ProcessImprovementsPlan.pdf

approve 100% affordable housing projects without requiring Planning Commission approval.

2. Affordable housing production is a complex undertaking, and project sponsors for these developments spend significant time and resources coordinating with Planning Department staff to deliver a desirable development project that also can meet the unique cost and program requirements associated with affordable housing finance. While affordable housing projects that seek to maximize the number of affordable housing units on a particular site may seek the 100% Affordable Housing Bonus development bonuses and zoning modifications available through Section 206.4, these projects must additionally comply with the review procedures of Section 328, meaning the project must appear at one or more Planning Commission hearings in order to be approved. This review procedure adds time, cost, and uncertainty to the development process for these high-priority affordable housing projects.
3. In addition to the Planning Commission review required in Section 309 for large projects in C-3 districts, large residential projects downtown routinely must also seek a Variance from the dwelling unit exposure requirement of Section 140 and the useable open space requirements of Section 135 of the Planning Code, due to the physical incompatibility of these requirements with high-rise development. The need for a Variance in these cases adds an additional layer of review and public hearing with the Zoning Administrator's office, and can add substantially to the time needed for Planning Department staff to complete project review, even though these modifications are routinely approved for such projects.

B. Notification Requirements and Procedures

1. Current notification procedures are overly complex, with over 30 combinations of notification types required for various types of Building Permit Applications and hearings. This level of complexity makes notification procedures unnecessarily time-consuming for Planning Department staff, and also invites minor errors in fulfilling notification requirements that can cause significant delays in project review and approval.
2. Current notification requirements are antiquated and wasteful, while not serving the public as broadly as possible given current technology. Mailed notification for Building Permit Applications subject to Section 311 and 312 alone generated over 600,000 pages or 3 tons of paper at a cost of over \$250,000 in 2017 due to the current requirement that 11 x 17 inch plan sets be mailed as part of the notice. The newspaper notification requirement cost the City over \$70,000 in 2017, while the notification provided through this requirement is only available in a copy of one specific publication on only one day of the week.

3. Current notification requirements do not require that tenants living in proximity to a proposed project receive mailed notice in all cases, and instructions for multilingual translation services are not required to be included in all cases.
4. Notification requirements for Building Permit Applications subject to Sections 311, 312 and certain permits for work on historic landmark buildings or designated buildings in a Conservation District pursuant to Sections 1005 and 1111 mean that certain relatively minor or routine scopes of work that could otherwise be subject to same-day approval at the Planning Information Center must instead be routed to another planner. Notification requirements for such scopes of work typically delay project approval by three to four months and add to the Department's permit review backlog.

C. Minor Alterations to Historic Buildings

1. Permits that require an Administrative Certificate of Appropriateness or Minor Permit to Alter under Section 1005 and 1111 of the Planning Code cannot currently be approved administratively by Preservation technical specialist at the Planning Information Center, but must be held for 20 days by the Department prior to approval. This requirement adds significantly to the Department's permit review backlog and significantly delays approval for these minor and routine scopes of work.
2. Specifically, the Department estimates that these scopes of work account for roughly one-third of all the Administrative Certificates of Appropriateness and Minor Permits to Alter issued by the Department in a given year. For each of these cases that must be assigned to a planner for review, rather than approved on the same day they are submitted, the project approval is delayed by three to four months on average.

RECOMMENDATION

The Department recommends that the Commission recommend *approval with modifications* of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The recommended modifications include:

1. Section 315(c) regarding the review process for 100% affordable housing projects should be further amended to explicitly require that projects approved administratively through Section 315 must be "consistent with the Urban Design Guidelines and any other applicable design guidelines."

2. The proposed Section 333(e)(1) regarding **posted notice** should be amended to include the following language:

The requirements of this Subsection 333(e)(1) may be modified upon a determination by the Zoning Administrator that a different location for the sign would provide better notice or that physical conditions make this requirement impossible or impractical, in which case the sign shall be posted as directed by the Zoning Administrator.

This language currently appears in Section 306.8 and should be included in Section 333 to allow alternate means of satisfying the poster placement requirements when needed to accommodate exceptional site conditions, as the Code currently provides.

3. The proposed Section 333(e)(1) regarding **posted notice** should be further amended to add language requiring all posters to be placed in a manner that is "visible and legible from the sidewalk or nearest public right-of-way." This would provide further guidance to the Department in determining appropriate poster placement guidelines.
4. The proposed Section 333(e)(2) regarding **mailed notice** should be amended to require minimum dimensions of 5-1/2 x 8-1/2 inches (a standard half-sheet) to ensure that the required contents for mailed notice can be accommodated while still allowing for mailed notice to be provided on a double-sided card.
5. Section 311(2) should be further amended to specify that a **limited rear yard addition as permitted in Section 136** will still require notification if the addition is to an existing structure that has been expanded in the prior 3 years. This modification would minimize the possibility of "serial permitting" via this provision of the Code.
6. The Department also recommends that the Commission adopt a *Planning Commission Policy* to require a Pre-Application meeting between the applicant and adjacent neighbors before an application for the limited rear yard addition can be submitted. This will provide concerned neighbors advance notice of the proposal and the ability to request notification when a building permit is filed. This change does not require any modification to the Ordinance, but language to establish such a policy is included in the Draft Planning Commission Resolution attached to this Summary.

BASIS FOR RECOMMENDATION

The Department is strongly supportive of the proposed Ordinance as it will implement several of the proposed measures contained in the Department's Process Improvements Plan issued in December, 2017. Overall, these amendments would simplify and speed the approval of 100%

affordable housing projects and large residential projects in downtown C-3 districts; significantly reduce the staff time, resources, and project delays that result from current notification requirements, while significantly expanding access to these notification materials; and reduce the Department's permit review backlog and free up associated staff time by allowing for certain minor and routine scopes of work to be subject to same-day approval at the Planning Information Center.

A. Review of 100% Affordable Housing Projects and Large Downtown Projects

1. The proposed amendments to Section 315 would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
2. For projects seeking the 100% Affordable Housing Bonus, the Ordinance would replace the Planning Commission review process required under Section 328 with a specific administrative review process for these projects in the new Section 315.1. This amendment strikes an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
3. For large downtown projects subject to Section 309 review, the Ordinance would remove an additional layer of review for most projects by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.

B. Notification Requirements and Procedures

1. The proposed Ordinance would establish a new Planning Code section 333 that establishes uniform and consistent notification requirements for all Building Permit Applications and

public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval. Through concerns were raised about the 20-day notification period for building permit notifications, once existing notification requirements and procedures, along with proposed technology advances and expansion of access to notification materials overall are considered, the Department finds that such a notification period is appropriate and would not diminish the ability of the public to engage in the planning process.

2. The new Section 333 would significantly expand public access to notification materials, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period.
3. The proposed Ordinance would amend Section 311 to allow for the limited rear yard addition permitted under Section 136(c)(25) to be approved the same day they are submitted at the Planning Information Counter. This same-day approval would significantly reduce the volume of permits in the review backlog. The Department estimates that allowing these projects alone to be approved "over the counter" would save roughly two full time equivalents (FTE) of staff time that could be spent on review of priority housing projects.

Furthermore, same-day approval for this type of addition is appropriate, considering that the potential impacts to mid-block open spaces and neighboring properties are already mitigated through the bulk and height limitations codified in Section 136(c)(25). Specifically, a one-floor rear addition is limited to 10 feet in height, which is also the maximum height for a permitted lot line fence meaning such additions would not be visible from neighboring properties, and such an addition would be limited to a maximum of 300 gross square feet of floor area for a typical 25-foot wide lot. A two-floor addition would be limited the floor height of the third level of the existing structure and also must be set back by five feet on either side from both interior lot lines, allowing for a maximum addition of 360 gross square feet of floor area for a typical 25-foot wide lot. This permitted envelope is consistent with the standards contained for such additions in the Residential Design Guidelines, thus ensuring consistency with applicable design standards. No rear addition permitted through Section 136(c)(25) would be permitted to expand into the rear 25 percent of the lot or within 15 feet of the rear lot line, whichever is greater, in any case. As for any other Building Permit, permits approved pursuant to this Section will remain appealable to the Board of Appeals.

C. Minor Alterations to Historic Buildings

1. The proposed Ordinance would allow for permits for minor and routine scopes of work that currently require a Certificate of Appropriateness or Permit to Alter under Section 1005 and 1111 of the Planning Code to be approved administratively by Planning Department staff at the Planning Information Center, provided the projects conform to the relevant guidelines and standards as provided for in Planning Code sections 1006.6 and 1111.6.
2. The Department estimates this would reduce the permit review case load for Preservation planners by roughly one-third on an annual basis, allowing staff to focus more time on priority housing projects and other Preservation planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

IMPLEMENTATION

As described throughout this report, the Department has determined that the Ordinance would significantly simplify and streamline current implementation procedures, while continuing to provide critical planning, design review, public notification, and permit review functions. These process improvements would allow for more staff time and resources to be allocated to the review and approval of priority housing projects.

ENVIRONMENTAL REVIEW

The proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received written comments from 19 organizations and individuals about this Ordinance. The majority of the comments were to express opposition to the proposed changes to notification procedures. The primary concerns raised were the shortening of the notification period to 20 days from 30 for building permit application notices, the proposed reduction in size of mailed notice, the transfer of architectural plan sets from the mailed notice to online notice, and the proposal to allow for limited rear yard

additions without notification. No opposition to the other sections of the ordinance regarding approvals of housing projects and minor alterations to historic structures was expressed.

The comments received in support emphasized the importance of the approving the overall ordinance in order to streamline housing production, and two letters received from local architects expressed support specifically for the proposal to allow for limited rear yard additions without notification.

These written comments are attached in Exhibit E below.

RECOMMENDATION: Recommendation of Approval with Modifications

Attachments:

- Exhibit A: Draft Planning Commission Resolution for Board File No. 180423
- Exhibit B: Legislative Digest for Proposed Ordinance
- Exhibit C: Proposed Ordinance [Board File No. 180423]
- Exhibit D: Summary Table of Current Notification Requirements
- Exhibit E: Public comment received to date



SAN FRANCISCO PLANNING DEPARTMENT

June 18, 2018

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Board File No. 180423: Review for Downtown and Affordable Housing Projects;
Notification Requirements; Review of Alterations of Historical Landmarks and
in Conservation Districts.

Planning Department Case Number 2018-004633PCA:
Mayor's Process Improvements Ordinance

Dear Ms. Calvillo,

On June 8, 2018, the Planning Department transmitted to your office a summary of the Planning Commission and Historic Preservation Commission review and recommendations regarding Board File No. 180423. On June 11, 2018 the same ordinance was heard at the Land Use and Transportation Committee, and a corrected version of Planning Commission Resolution R- 20198 was provided to your office and read into the record at that hearing.

The Planning Department hereby provides an additional corrected version of Planning Commission Resolution R-20198 and Historic Preservation Commission Resolution R-959 and requests that these corrected Resolutions be added to Board File No. 180423. These corrections are issued to repair a clerical error that appeared in both resolutions and do not include any substantive changes regarding the actions of either Commission.

If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Starr".

Aaron Starr, MA
Manager of Legislative Affairs

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Transmittal Materials

CASE NO. 2018-004633PCA
Mayor's Process Improvements Ordinance

cc:

Alisa Somera, Legislative Deputy Director, Board of Supervisors

Erica Major, Assistant Clerk, Board of Supervisors

Kate Stacy, Deputy City Attorney

Kanishka Karunaratne, Mayor's Office of Economic and Workforce Development

bos.legislation@sfgov.org

Attachments:

Historic Preservation Commission Resolution No. R-959 – Corrected June 18, 2018

Planning Commission Resolution No. R-20198 – Corrected June 18, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 959

HEARING DATE MAY 16, 2018
CORRECTED DATE JUNE 18, 2018

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Information:
415.558.6377

Project Name: Mayor's Process Improvements Ordinance
Case Number: 2018-004633PCA, [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018
Staff Contact: Jacob Bintliff, Senior Planner
jacob.bintliff@sfgov.org, 415-575-9170
Reviewed by: Kate Conner, Principal Planner
kate.conner@sfgov.org, 415-575-6914

RESOLUTION RECOMMENDING APPROVAL OF A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO STREAMLINE AFFORDABLE HOUSING PROJECT REVIEW BY ELIMINATING A PLANNING COMMISSION DISCRETIONARY REVIEW HEARING FOR 100% AFFORDABLE HOUSING PROJECTS UPON DELEGATION BY THE PLANNING COMMISSION; TO PROVIDE FOR PLANNING DEPARTMENT REVIEW OF LARGE PROJECTS LOCATED IN C-3 DISTRICTS AND FOR CERTAIN MINOR ALTERATIONS TO HISTORICAL LANDMARKS AND IN CONSERVATION DISTRICTS; TO CONSOLIDATE, STANDARDIZE AND STREAMLINE NOTIFICATION REQUIREMENTS AND PROCEDURES, INCLUDING REQUIRED NEWSPAPER NOTICE, IN RESIDENTIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AND 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 ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 24, 2018 Mayor Farrell' introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, the Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 16, 2018; and

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Historic Preservation Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Historic Preservation Commission has reviewed the proposed Ordinance; and

WHEREAS, the Historic Preservation Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Historic Preservation Commission hereby **approves** the proposed Ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed amendments to Section 315 of the Planning Code would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
2. The proposed amendments to delete Section 328 and establish a new Section 315.1 of the Planning Code would streamline the review process for 100% Affordable Housing Bonus project, and strike an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.

3. The proposed amendments to Section 309 of the Planning Code would remove an additional layer of review for most large residential projects in the downtown C-3 districts by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.
4. The proposed amendments to consolidate Section 311 and 312 into a single Section 311, establish a new Section 333, and delete or amend, as appropriate, various other Planning Code sections to reference the same, would establish uniform and consistent notification requirements for all Building Permit Applications and public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval.
5. The proposed amendments to establish a new Section 333 would significantly expand public access to public notification, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period, and serve the purpose and intent of the current newspaper notification requirement to greater effect and at significantly lower cost. The format and content requirements of the new Section 333 would reduce wasted paper and cost that result from current notification requirements.
6. The proposed amendments to Section 311 to allow for the limited rear yard addition permitted under Section 136(c)(25) to be approved at the Planning Information Counter, which would significantly reduce the permit volume under review by planners. The Department estimates that allowing these projects alone to be approved "over the counter" would save roughly two full time equivalents (FTE) of staff time that could be spent on review of priority housing projects.
7. The proposed amendments to Section 1005 and 1111 to allow for permits for minor and routine scopes of work that currently require a Certificate of Appropriateness or Permit to Alter under Section 1005 and 1111 of the Planning Code to be approved administratively by Planning Department staff at the Planning Information Center counter, provided the projects confirm to the relevant guidelines and standards in Planning Code sections 1006.6 and 1111.6 is estimated to reduce the permit review case load for Preservation planners by roughly one-third on an annual

basis, allowing staff to focus more time on priority housing projects and other Preservation planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.

8. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 8

BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE, AND MAINTAIN AFFORDABLE HOUSING

Policy 71

Planning staff shall support affordable housing projects in the development review process, including allowing sponsors of permanently affordable housing to take full advantage of allowable densities provided their projects are consistent with neighborhood character.

The proposed Ordinance would allow Planning staff to support affordable housing projects, including those seeking additional density through the 100% Affordable Housing Bonus Program, through new and enhanced administrative review procedures, provided that projects are in conformity with all applicable design guidelines and standards.

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH AND TRANSPARENT DECISION-MAKING PROCESS

The proposed Ordinance would allow the Planning Department to implement various streamlining strategies to better implement the Department's planning and review function, especially for new housing and affordable housing developments, while dramatically expanding access to public information regarding projects under review by the Planning Department and public hearings by consolidating and modernizing public notification requirements and procedures.

9. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. The proposed Ordinance will likely support neighborhood-serving retail establishments

when those establishments are located in an historic landmark building or in a conservation district by allowing such business to seek administrative same-day approval of minor alterations to install business signage or automatic door operators. The proposed Ordinance would support neighborhood-serving retail generally by streamlining and modernizing the notification requirements applicable to commercial establishments in Section 312/new Section 311 by reducing the risk of delays due to minor errors in implementing these requirements.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on existing housing or neighborhood character. The proposed amendments to the review process for affordable housing projects and 100% Affordable Housing Bonus projects would maintain all existing requirements related to design standards for such projects, as applicable.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would support the City's ability to increase the supply of affordable housing, by providing new streamlined administrative approval procedures specifically for 100% affordable housing developments.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The proposed Ordinance would allow for certain minor alterations to City landmarks and

historic structures, as specified, to be approved administratively provided these alterations conform to applicable guidelines of the Planning Code.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

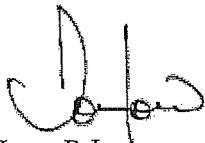
The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

10. **Planning Code Section 302 Findings.** The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DELEGATES the Commission's authority to review applications for such Minor Alterations as defined in Section 1111.1, as amended, to Planning Department staff; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION TO APPROVE the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 16, 2018



Jonas P. Ionin
Commission Secretary

AYES: Wolfram, Hyland, Johnck, Matsuda, Johns, Black

NOES: None

ABSENT: Pearlman

ADOPTED: ~~June 6, 2018~~ May 16, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20198

HEARING DATE: JUNE 7, 2018
CORRECTED DATE: JUNE 11, 2018
CORRECTED DATE: JUNE 18, 2018

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Information:
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Project Name: Mayor's Process Improvements Ordinance
Case Number: 2018-004633PCA, [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018;
reintroduced May 15, 2018
Staff Contact: Jacob Bintliff, Senior Planner
jacob.bintliff@sfgov.org, 415-575-9170
Reviewed by: Kate Conner, Principal Planner
kate.conner@sfgov.org, 415-575-6914

RESOLUTION APPROVING A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO STREAMLINE AFFORDABLE HOUSING PROJECT REVIEW BY ELIMINATING A PLANNING COMMISSION DISCRETIONARY REVIEW HEARING FOR 100% AFFORDABLE HOUSING PROJECTS UPON DELEGATION BY THE PLANNING COMMISSION; TO PROVIDE FOR PLANNING DEPARTMENT REVIEW OF LARGE PROJECTS LOCATED IN C-3 DISTRICTS AND FOR CERTAIN MINOR ALTERATIONS TO HISTORICAL LANDMARKS AND IN CONSERVATION DISTRICTS; TO CONSOLIDATE, STANDARDIZE AND STREAMLINE NOTIFICATION REQUIREMENTS AND PROCEDURES, INCLUDING REQUIRED NEWSPAPER NOTICE, IN RESIDENTIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AND 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 ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 24, 2018 Mayor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, on May 15, 2018 Mayor Farrell re-introduced the proposed Ordinance under the same Board File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large

downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 7, 2018; and

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

WHEREAS, the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Commission hereby approves with modifications the Ordinance as described within this resolution.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed amendments to Section 315 of the Planning Code would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.

2. The proposed amendments to delete Section 328 and establish a new Section 315.1 of the Planning Code would streamline the review process for 100% Affordable Housing Bonus projects, and strike an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
3. The proposed amendments to Section 309 of the Planning Code would remove an additional layer of review for most large residential projects in the downtown C-3 districts by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.
4. The proposed amendments to consolidate Section 311 and 312 into a single Section 311, establish a new Section 333, and delete or amend, as appropriate, various other Planning Code sections to reference the same, would establish uniform and consistent notification requirements for all Building Permit Applications and public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval.
5. The proposed amendments to establish a new Section 333 would significantly expand public access to public notification, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period, and serve the purpose and intent of the current newspaper notification requirement to greater effect and at significantly lower cost. The format and content requirements of the new Section 333 would reduce wasted paper and cost that result from current notification requirements.
6. The proposed amendments to Section 1005 and 1111 to allow for permits for minor and routine scopes of work that currently require an Administrative Certificate of Appropriateness or Minor Permit to Alter under Section 1005 and 1111 of the Planning Code to be eligible for same-day administrative approval by the Planning Department, provided the projects confirm to the relevant guidelines and standards as provided in Planning Code sections 1006.6 and 1111.6 is estimated to reduce the permit review case load for Preservation planners by roughly one-third in any given year,

allowing staff to focus more time on priority housing projects and other Preservation planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.

7. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 8

BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE, AND MAINTAIN AFFORDABLE HOUSING

Policy 71

Planning staff shall support affordable housing projects in the development review process, including allowing sponsors of permanently affordable housing to take full advantage of allowable densities provided their projects are consistent with neighborhood character:

The proposed Ordinance would allow Planning staff to support affordable housing projects, including those seeking additional density through the 100% Affordable Housing Bonus Program, through new and enhanced administrative review procedures, provided that projects are in conformity with all applicable design guidelines and standards.

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH AND TRANSPARENT DECISION-MAKING PROCESS

The proposed Ordinance would allow the Planning Department to implement various streamlining strategies to better implement the Department's planning and review function, especially for new housing and affordable housing developments, while dramatically expanding access to public information regarding projects under review by the Planning Department and public hearings by consolidating and modernizing public notification requirements and procedures.

8. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. The proposed Ordinance will likely support neighborhood-serving retail establishments when those establishments are located in an historic landmark building or in a designated building in a conservation district by allowing such business to seek administrative same-day approval of minor alterations to install business signage, awnings or automatic door operators. The proposed Ordinance

would support neighborhood-serving retail generally by streamlining and modernizing the notification requirements applicable to commercial establishments in Section 312/new Section 311 by reducing the risk of delays due to minor errors in implementing these requirements.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on existing housing or neighborhood character. The proposed amendments to the review process for affordable housing projects and 100% Affordable Housing Bonus projects would maintain all existing requirements related to design standards for such projects, as applicable.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would support the City's ability to increase the supply of affordable housing, by providing new streamlined administrative approval procedures specifically for 100% affordable housing developments.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The proposed Ordinance would allow for certain minor alterations to City landmarks and historic structures, as specified, to be approved administratively provided these alterations conform to applicable guidelines of the Planning Code.

8. That our parks and open space and their access to sunlight and vistas be protected from

development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

9. **Planning Code Section 302 Findings.** The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DELEGATES its authority of Discretionary Review to the Planning Department to review applications for Affordable Housing Projects or 100% Affordable Housing Bonus Program projects, pursuant to the administrative approval procedures and requirements to be established in Sections 315 or 315.1, respectively, of the Planning Code, provided such procedures and requirements are duly enacted by law; and

BE IT FURTHER RESOLVED that the Commission hereby amends the Commission's Pre-Application Meeting Policy to require a Pre-Application meeting for applications for a limited rear yard addition consistent with the dimensions in Section 136(c)(25), even when notification is not otherwise required.

BE IT FURTHER RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with modifications as described here:


1. Section 315(c) regarding the review process for 100% affordable housing projects should be further amended to explicitly require that projects approved administratively through Section 315 must be "consistent with the Urban Design Guidelines and any other applicable design guidelines."
2. The proposed Section 333(e)(1) regarding posted notice should be amended to include the following language:

The requirements of this Subsection 333(e)(1) may be modified upon a determination by the Zoning Administrator that a different location for the sign would provide better notice or that physical conditions make this requirement impossible or impractical, in which case the sign shall be posted as directed by the Zoning Administrator.

3. The proposed Section 333(e)(1) regarding posted notice should be further amended to add language requiring all posters to be placed in a manner that is "visible and legible from the sidewalk or nearest public right-of-way."
4. The proposed Section 333(e)(2) regarding mailed notice should be amended to require minimum dimensions of 5-1/2 x 8-1/2 inches (a standard half-sheet) to ensure that the required contents for mailed notice can be accommodated while still allowing for mailed notice to be provided on a double-sided card.
5. The proposed Section 333(c) should be amended such that the Notification Period is no fewer than 30 calendar days, rather than the 20 days proposed.

6. Section 311(b)(2) should be amended such that the features listed in Section 136(c)(25) should *not* be exempted from the definition of Alterations subject to notification requirements.
7. The proposed Section 333(b) should be amended such that the Zoning Administrator shall determine the means of delivering all forms of public notice, *in a manner consistent with the Planning Commission's policy on notification*, provided that the contents of Section 333 are satisfied. The Ordinance should further be amended such that changed notification procedures would become operative only upon adoption of the Planning Commission policy.
8. The Planning Commission should receive regular reporting on the status and results of the process improvement efforts included in the Ordinance, beginning no later than one year after the effective date of the Ordinance.
9. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall provide the San Francisco prevailing wage for construction work associated with the project.
10. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in conformity with the San Francisco Building Code.
11. Section 315 and the proposed Section 315.1 should be amended to require that 100% affordable housing projects approved pursuant to these Sections shall be constructed in a manner that is consistent with all applicable standards for affordable housing developments, as determined by the Mayor's Office of Housing and Community Development.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 24
June 7, 2018.


Jonas P. Iordán
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
NOES: Moore
ABSENT: None
ADOPTED: June 7, 2018

BOARD of SUPERVISORS



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Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 2, 2018

File No. 180423

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On April 24, 2018, Mayor Farrell introduced the following proposed legislation:

File No. 180423

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy Navarrete
1731

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org, c=US
Date: 2018.05.02 15:48:09 -0700

180423

From: Kathy Howard <kathyhoward@earthlink.net>
Sent: Tuesday, June 19, 2018 3:19 PM
To: Board of Supervisors, (BOS); Stefani, Catherine (BOS); Peskin, Aaron (BOS); Safai, Ahsha (BOS); Ronen, Hillary; Kim, Jane (BOS); Sheehy, Jeff (BOS); Tang, Katy (BOS); Breed, London (BOS); Cohen, Malia (BOS); Yee, Norman (BOS)
Subject: FW: Please vote against the "Process Improvements" Legislation (Planning: 2018-004633PCA)

Forwarded on behalf of Mr. Jungreis:

From: Jason Jungreis [mailto:jasonjungreis@gmail.com]
Sent: Tuesday, June 19, 2018 9:47 AM
To: Fewer, Sandra (BOS)
Subject: Please vote against the "Process Improvements" Legislation (Planning: 2018-004633PCA)

Supervisor Fewer
Board of Supervisors
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

June 19, 2018

Re: File No. 180423 - Mayor's "Process Improvements" Ordinance for June 19, 2018 BOS Meeting

Dear Supervisor Fewer,

I urge you to vote against the "Process Improvements" Legislation (Planning: 2018-004633PCA) that comes before the Board on June 19. That legislation proposes that the Board accept the BOS-LUC recommendations regarding changing the permitting, neighbor notification, and process issues concerning enabling building "pop-outs" (i.e., extending the backs of buildings into their backyards). This legislation is a solution in search of a problem.

Neighbors requested notice on pop-outs at the Planning Commission meeting on June 7, 2018. After hours of discussion, the PC approved a notification process. Then, on June 11, 2018, in minutes and with virtually no discussion, the BOS-LUC reversed that decision.

Today, pop-outs are required to be noticed by Planning Code Sec. 136(c)(25). The BOS-LUC decided to "compromise" on the "noticing" of pop-outs via the Pre-Application Process. This process is one that has **NO** Planning Department involvement at all by the time the Pre-Application Meeting occurs: the neighbors will no longer have the PC decide on these matters and will instead be left with an over-the-counter permit issuance at DBI with a short 15-Day Notice to Appeal.

Here are some issues as to what is wrong with using the Pre-Application Process:

1. Plans presented at Pre-Application Meetings have not gone through Planning for conformance to code yet.
2. No planner will be able to help the neighbors as they have no idea of plans that have not come through their department. The neighbor is left with no assistance.
3. The Pre-Application Plans are very sketchy with no requirements, unlike those for current 311/312 Notices.

4. The Pre-Application Plans have not been reviewed by Fire Department nor Public Works nor for compliance by any other agencies for possible code violations.
5. It is unknown if the RDAT manager (not staff level per new process change) will be available to neighbors for questions, and the response time to neighbor questions will be at the mercy of the Planning staff's time, very possibly resulting in the neighbors not getting their questions answered or their concerns addressed.
6. There are no codified or articulated steps to ensure that Pre-Application Plans would be made available for neighbor review.
7. The Planning Commission's current notification requirement is typically a 300-ft. radius. Yet, while the Planning Commission alleged that it was opting for "consistency" in reducing the notification period from 30 days to 20 days, it reduced the notice radius to 150 feet, which is entirely inconsistent with current practice.
8. The Pre-application meeting notice period which can be as short as 7 calendar days upon receipt, with no assurance by Planning that the mailing has actually been sent -- because the Project Sponsor sends them.
9. Neighbors do NOT get a notice from DBI that a permit is issued (so the 15-day clock for appeal can readily run out).
10. In the June 7, 2018 Executive Summary with this "Pre-application with Block Book" idea in it for the BOS-LUC meeting, it was noted that this Pre-application route with "Block Book" notification would work. However, this is not necessarily true for those without electronic access: in that case, they would have to pay \$39 per parcel to receive hard-copy notice. This is a failure to provide real notification, and the change in notification is entirely without justification.

To date, no specific fully detailed information has been given to the public on what exactly will be on the postcards proposed to notify neighbors. It is unknown what information currently provided on 311/312 Notices will be provided on postcards, which obviously cannot hold any real detail. (And again, this change was made unilaterally and without any neighborhood input.)

In light of the above, since the neighbors will not have any certainty on how the notifications will work, and with the rush to get rid of Planning involvement in pop-outs and PC involvement in other areas including no supervisory intervention and to have neighbors only fall back on the DBI Board of Appeals, this portion of the "Process Improvements" legislation needs to be re-done as it is dangerously deleterious to the obligation to properly inform neighbors.

I urge retaining the existing process, which includes the following:

1. 30-day notice.
2. 300 feet radius notification.
3. Mailings with complete information as to the construction proposal.

Alternatively, if there must be modification of the existing process -- which I do NOT concede -- at a minimum, take the time to do this right, by sending the proposed legislation back to the Planning Department for an authentic neighborhood outreach process.

Thanks.

Jason Jungreis
527 47th Avenue

180423

To: Karunaratne, Kanishka (ECN)
Subject: RE: Strong support for Item 28, Planning Improvements to notification process including pop-outs, please!

From: James Hill [mailto:jameshill@jameshillarchitect.com]

Sent: Monday, June 18, 2018 6:02 PM

To: Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>

Cc: Miller Hall, Ellie (BOS) <ellie.millerhall@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Bruss, Andrea (BOS) <andrea.bruss@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Lambright, Koledon (BOS) <koledon.lambright@sfgov.org>; Chicuata, Brittni (BOS) <brittni.chicuata@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Karunaratne, Kanishka (ECN) <kanishka.karunaratne@sfgov.org>; Bintliff, Jacob (CPC) <jacob.bintliff@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>

Subject: Strong support for Item 28, Planning Improvements to notification process including pop-outs, please!

STRONG SUPPORT FOR ITEM 28, PLANNING IMPROVEMENTS TO NOTIFICATION PROCESS INCLUDING POP-OUTS

I am part of the 200 member of the AIA San Francisco Small Firm Architects Committee. Speaking only for myself, the Committee as well as the the Public Policy Action Committee have pushed and pushed to get the planning department to hear in our voices the frustrations and disbelief of thousands of our clients as we tell them adding a rear deck pop-out will take 4 months at best with the Planning Department, maybe more. The good news, after that Building Department approvals for life safety can be approved in an afternoon. Clients are incredulous, they want an expeditor, or they ask us to place odds aon their getting caught if they go ahead and do the work without a permit, or they abandon the project altogether—or they abandon the architect.

It is fairly common for an exterior renovation project in San Francisco to engage for a month or three in negotiations over a neighbor's illegal property line windows and roofed over light wells during the pre-application process before submittal and 311 notification even begins. These are common conditions which we all recognize and challenge us all. These were my last three projects. The results seriously compromise the intentions of a good neighbor policy.

As an architect we are taught to problem solve complex problems combining logic and understanding. The notification process puts us to the test of solving for the uncoded and the unpredictable. This uncertainty is reflected in departmental back logs.

When we asked a director of historical resources how we could help problem solve to improve permitting delays his answer was it's all about process. San Franciscans love process. I was approached by a member of the Bernal Heights Design Review Board who wanted help with their rearyard property line deck which had

some code issues. He'd like to hire me but made it clear he did not intend to get a permit. Head of Environmental Evaluation would never consider building an addition in San Francisco.

For us, to have the planning department hear us and problem solve to improve efficiency with small improvements like these is fantastic, a tremendous step. What seems a minor change to you and me, incredibly well supported and constrained by the limits of the code, is tremendous a tremendous step in problem solving and efficient government.

The department and the architectural community look to the board for direction and it would be fantastic to see them step up, support the Planning Department and the logical direction toward improvement.

Please tell us how to help you move ahead.

James Hill
AIA
james hill architect
836 Haight Street
San Francisco, CA 94117
phone: 415 864 4408

visit us on the web at
jameshillarchitect.com
and blogging at
talkingbuildings.com

180423

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 2:57 PM
To: Major, Erica (BOS)
Subject: FW: Please OPPOSE Mayor Process Improvement Ordinance

From: Kevin [mailto:kmksf22@hotmail.com]
Sent: Tuesday, June 19, 2018 1:49 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: Hepner, Lee (BOS) <lee.hepner@sfgov.org>
Subject: Please OPPOSE Mayor Process Improvement Ordinance

Dear Supervisors:

I'm writing to emphatically urge you to oppose the Mayor's Process Improvement Ordinance.

It really should be renamed a "Reduce Community Involvement" Ordinance because that is blatantly what it does. The neighborhoods are barely notified of any new City additions into the neighborhoods as it is. Developers can seemingly do as they damn well, please, WITHOUT any neighborhood notification.

Not only has the Ordinance NOT been subject to community review, it would then cut a 30-day review process down to 20 days. AWFUL. The 30-day process is, in and of itself, extremely limited. A further cut is simply not justified.

The only benefit of this ordinance is to make things easier for developers.

San Francisco neighborhoods and its waterfront are far too precious to allow unfettered development without adequate community review time.

Thank you,
Kevin M. Kaul
Resident, Northeast Waterfront

From: Calvillo, Angela (BOS)
ent: Wednesday, June 20, 2018 7:10 PM
ro: Somera, Alisa (BOS)
Subject: FW: Please Oppose mayor Process Imp. Ord.

From: Victoria Fliess [mailto:vfliess@pillsburycoleman.com]
Sent: Wednesday, June 20, 2018 10:22 AM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>
Subject: Please Oppose mayor Process Imp. Ord.

Dear Supervisors:

I write to urge you to oppose the Mayor's Process Improvement Ordinance.

It should be renamed the "Reduce Community Involvement" Ordinance because that's what it does.

Not only has the Ordinance not been subject to community review, it would cut a 30-day review process down to 20. The 30-day process is, in and of itself, extremely limited. A further cut is simply not justified.

The only benefit of this ordinance is to make things easier for developers.

San Francisco neighborhoods and its waterfront are far too precious to allow unfettered development without adequate community review time.

Thanks,
Victoria Fliess

180403

From: Victoria Fliess <vfliess@pillsburycoleman.com>
Sent: Wednesday, June 20, 2018 10:22 AM
To: BOS-Supervisors; Hepner, Lee (BOS)
Subject: Please Oppose mayor Process Imp. Ord.

Dear Supervisors:

I write to urge you to oppose the Mayor's Process Improvement Ordinance.

It should be renamed the "Reduce Community Involvement" Ordinance because that's what it does.

Not only has the Ordinance not been subject to community review, it would cut a 30-day review process down to 20. The 30-day process is, in and of itself, extremely limited. A further cut is simply not justified.

The only benefit of this ordinance is to make things easier for developers.

San Francisco neighborhoods and its waterfront are far too precious to allow unfettered development without adequate community review time.

Thanks,
Victoria Fliess

1804103

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 2:57 PM
To: Major, Erica (BOS); Mchugh, Eileen (BOS)
Subject: FW: Mayors Process Improvement Program

From: Kathleen Dooley [mailto:kathleendooley58@gmail.com]
Sent: Tuesday, June 19, 2018 1:00 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Mayors Process Improvement Program

Supervisors,

I am writing to express my opposition to the proposed changes to neighborhood posting of building notices which would effectively eliminate the role of residents and neighborhoods in weighing in on such projects. It is of the utmost importance that neighborhoods be able to have the time to review such developments and voice their opinions on how such projects may positively or negatively affect their environment.

Yours,

Kathleen Dooley

North Beach resident

180473

From: Board of Supervisors, (BOS)
Sent: Tuesday, June 19, 2018 2:36 PM
To: BOS-Supervisors; Major, Erica (BOS)
Subject: FW: Mayor's Process Improvement Ordinance

-----Original Message-----

From: Joan Joaquin-Wood [mailto:joanwood@earthlink.net]
Sent: Tuesday, June 19, 2018 2:40 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Subject: Mayor's Process Improvement Ordinance

Board of Supervisors: It is of utmost importance to all San Francisco residents to prevent this wretched Ordinance from being implemented. You who voted Supervisor Gallagher to be temporary Mayor are responsible for this so you have to fix it. Then remove him if there is a way. Leave the public out of planning decisions? Is he taking instructions from Trump? Joan Wood, North Beach`

180423

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 3:08 PM
To: Mchugh, Eileen (BOS); Major, Erica (BOS)
Subject: FW: OPPOSE - Mayor's Process Improvements Ordinance, File #180423

From: Stan Hayes [mailto:stanhayes1967@gmail.com]
Sent: Tuesday, June 19, 2018 11:42 AM
To: Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: OPPOSE - Mayor's Process Improvements Ordinance, File #180423

Supervisors -

On behalf of the Telegraph Hill Dwellers, we want to express our OPPOSITION to the above proposed ordinance as it is currently written.

We strongly believe that short-circuiting public input is false efficiency.

While we are concerned about other provisions of this ordinance, we especially oppose the reduction/elimination of neighborhood notice and community input into the planning process, including the following:

- Global shortening of the notice time for the public to respond from 30- to 20-days, for among other things, demolitions, alterations, new construction, and removal of housing units.
- Reduction in the public's access to information by limiting the type and style of mailing to a single notice sheet, instead of a packet containing full project information.
- Elimination of neighborhood notice for limited rear yard additions.

Public input is critically important in a city as diverse as San Francisco, where neighborhood input is essential in creating better planning decisions.

Please refer this ordinance back to Planning staff for further revision, with a requirement for clear and quantified metrics and supporting evidence to demonstrate any efficiency improvements that might be achieved.

Sincerely,

Stan Hayes

Co-Chair, Planning & Zoning Committee

Telegraph Hill Dwellers

180423

From: Board of Supervisors, (BOS)
Sent: Tuesday, June 19, 2018 2:03 PM
To: BOS-Supervisors; Major, Erica (BOS)
Subject: FW: Distribution to all Supervisors for agenda today

From: lgpetty@juno.com [mailto:lgpetty@juno.com]
Sent: Tuesday, June 19, 2018 1:53 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Distribution to all Supervisors for agenda today

Dear Supervisor,

Re: Item 28 on 6/19/18 Agenda-- Mayor's Proposed Process Improvements to the Planning Code:

I urge the Board to continue this item as it is too important to rush through without careful thought, plus sufficient community outreach and input.

As proposed, this ordinance would threaten neighborhood inclusion and input in the planning process.

Neighborhood input is not a throwaway amenity.

It's not an unnecessary impediment to progress.

Rather, community input is the way true progress is made.

It is, in my view, and in fact, an American institution.

Public participation is a large and necessary component of planning and development. And in San Francisco and elsewhere, after centuries of refinement and incorporation into our laws, it is just as sacred as the Vote.

Indeed, for the building and maintaining of a city, it IS the Vote.

As such, it is a Constitutional right.

Public participation/neighborhood input, is a major building block of 21st Century development in this country; the same as steel and concrete. And just like the steel and concrete elements, if you remove public participation, or seriously stifle it, the structure would collapse. Just as in a Constitutional Democracy, if you take away or deny the right to vote, the system would crumble.

Conversely, I would say, that in the same way voting makes democracy stronger, the process of planning and development are made stronger by public participation.

Reducing public notification, and eliminating it in other instances as in this proposal would be the first steps toward "zero tolerance" of public participation itself.

Take note that we do not have to sacrifice efficiency in preserving democracy. This is not an either/or choice.

we can have both greater efficiency AND preserve our values if we do not act in haste. You must apply careful thought, and, yes, allow time for public outreach and input on this proposed ordinance.

Please continue this item.

Thank you.

Lorraine Petty

Senior

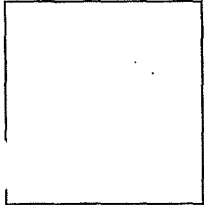
District 5 Voter

Member, Senior & Disability Action

How To Fix Your Fatigue (Do This Every Day)

gundrymd.com

<http://thirdpartyoffers.juno.com/TGL3132/5b296d557f8486d5503b2st04duc>



180403

To: Board of Supervisors, (BOS)
Subject: RE: Opposition to the Mayor's Process Improvement Ordinance

From: Board of Supervisors, (BOS)
Sent: Tuesday, June 19, 2018 1:56 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>
Subject: FW: Opposition to the Mayor's Process Improvement Ordinance

From: Lance Carnes [<mailto:lacarnes@gmail.com>]
Sent: Monday, June 18, 2018 6:50 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Opposition to the Mayor's Process Improvement Ordinance

Dear Supervisors,

I oppose the Mayor's Process Improvement Ordinance, which shortens or eliminates notice time for changes or additions to neighborhood building projects.

Respectfully submitted,
Lance Carnes
North Beach resident

180423

From: Board of Supervisors, (BOS)
Sent: Tuesday, June 19, 2018 1:55 PM
To: Major, Erica (BOS)
Subject: FW: BOS Item 28 File 180423 = Loss of due process for the residents of San Francisco. DO NOT PASS!

From: Kathy Howard [mailto:kathyhoward@earthlink.net]
Sent: Monday, June 18, 2018 8:03 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>
Subject: BOS Item 28 File 180423 = Loss of due process for the residents of San Francisco. DO NOT PASS!

Dear Supervisors,

I find it discouraging that, in a time when we are faced with a regressive national government, our own local government is moving to restrict our ability to weigh in on what happens in our own neighborhoods with the "Process Improvements" legislation. In particular, this legislation would shorten the period of neighborhood notification from 30 to 20 days, eliminate neighborhood notification for limited rear yard additions (pop-outs), and reduce the type and size of neighborhood notice materials as well as the number of neighbors who will be notified. People who do not speak English will be out of luck. People who have depended on newspaper notification will be out of luck.

The entire proposal of a Pre-App for the pop-outs is really very disingenuous; it is a disenfranchisement of local residents and can only stir up enmity between neighbors, who will not have the opportunity to work out differences over a project. A 15-day notice period? Really? Note to self -- don't ever go out of town for more than a few days. Or find someone to watch your mail. And when that notice arrives in the mail, file that appeal right away -- no matter how worthy the project. There is no time to do anything else.

More questions are raised than answered - What happens when the final plans are nothing like what was shared during the Pre-App process? Can we file another appeal? Is it worth it? How many appeals does the Board of Appeals ever grant?

Yes, there were a lot of architects at the Planning Commission and BOS/ LUC hearings -- they were included in the only outreach done by the Planning Department, and we can assume that they are getting what they want. The neighborhood organizations and residents were left out of that process; their abundant comments at both hearings are being totally ignored.

A lot needs to be done to this legislation; but the first thing that should happen is that this legislation should go out to the community for review and comment. It should not be passed.

Sincerely,
Katherine Howard
San Francisco

180403

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 3:49 PM
To: Major, Erica (BOS); Mchugh, Eileen (BOS)
Subject: FW: Process Improvement Ordinance -- Disenfranchises Neighborhoods - BOS 6-19-18
Attachments: 180522 -RHCA Process Impvmt Plans.pdf

Importance: High

From: Kathleen Courtney [mailto:kcourtney@rhcasf.com]
Sent: Tuesday, June 19, 2018 10:13 AM
To: Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: Kanishka Burns <Kanishka.Burns@sfgov.org>; 'bos-legislative_aides@sfgov.org.'; BOS-Supervisors <bos-supervisors@sfgov.org>; Chris Gembinski MPNA <chrisgembinski@gmail.com>; Robyn Tucker PANA <venturesv@aol.com>; Jamie Cherry RHCA <jcherry@rhcasf.com>; Jeff Cheney <jeff@cheneydd.com>; John Borruso <borruso@mindspring.com>; Chris Bigelow <cgbigelow@gmail.com>
Subject: Process Improvement Ordinance -- Disenfranchises Neighborhoods - BOS 6-19-18
Importance: High

Supervisors – Attached and pasted below is the RHCA request that you table consideration of the proposed Process Improvement Ordinance.

Russian Hill Community Association

1166 Green St. San Francisco, CA 94109 510-928-8243 rhcasf.com

June 19, 2018

President London Breed and
Members of the Board of Supervisors
City and County of San Francisco

Re: Process Improvement Ordinance – Board Agenda June 19, 2018 – Please Table

Dear Supervisors:

The Russian Hill Community Association respectfully urges you to table consideration of the proposed Process Improvement Ordinance because in its current form **the proposed Ordinance Disenfranchises the Neighborhoods**. Curtailing citizen participation is not a solution.

There has been a total lack of community outreach, an unwillingness to elicit or listen to the concerns of Neighborhood Associations and an inability to recognize and appreciate the contributions of those who reside in this City.

In particular the proposed Ordinance has three major flaws:

- 1) **Reducing the notification period from 30 to 20 days.** Three to five days for mail delivery. Two days to review notice and figure what it means. Five to seven days to check with neighbors and identify questions and concerns. Five to seven days to identify next steps. Nineteen days. It is not enough time. We need those 10 days. Curtailing citizens participation is not a solution.
- 2) **Permitting “pop ups” with no notification.** Residents have a right to know and understand what is happening in their neighborhood. Curtailing citizen participation is not a solution.
- 3) **Proposing post cards for notification.** Our goal should be to encourage citizen involvement not limit it. We want an engaged citizenry. Let people ask questions and discuss options. Curtailing citizen participation is not a solution.

This proposed Ordinance purports to improve the “process” but it does so at the expense of citizen participation. We urge you to table discussion of this Ordinance until such time that the issues can be reviewed and discussed in a fuller context.

Thank you for your consideration,

Kathleen Courtney

Kathleen Courtney
Chair, Housing & Zoning
kcourtney@rhcasf.com
510-928-8243

cc: RHCA Jamie Cherry, Jeff Cheney, John Borruso, Chris Bigelow

Russian Hill Community Association

1166 Green St. San Francisco, CA 94109 510-928-8243 rhcasf.com

May 23, 2018

President Rich Hillis and
San Francisco Planning Commissioners
Commissions.secretary@sfgov.org

Re: Planning Department Process Improvement Plans – May 17, 2018 Presentation to Commission

Dear President Hillis and Planning Commissioners:

While we can't help but applaud the Planning Department's objective of improving the whole Planning Process, we are disheartened by their approach.

The total lack of community outreach, the unwillingness to elicit or listen to neighborhood concerns and questions and the inability to recognize and appreciate the contributions that those of us who reside in this City are able to make – this is a pattern that has been repeated over and over again. The May 17th Presentation was another example of the Planning Department's unwillingness to encourage citizen participation.

The net result of the Planning Department's approach is to establish an adversarial relationship.

While this may not have been the intent, it is the result.

Neighborhoods have no other alternative but to go on the offense with the Board of Supervisors.

And as unfortunate as the Planning Department's approach is, several of the specific proposals reinforce the disregard Planning demonstrates with the community.

- Reducing neighborhood Notification periods from 30 to 20 days is a significant hardship for neighborhood leaders who are responsible for outreach in their communities.
- Over the counter pop-up approvals, with no notifications, can have a disruptive affect on a neighborhood. (The anticipated 2 FTE savings will be more than overshadowed by the time spent handling complaints and appeals.)

The Process Improvement Plan deserves more community review and input.

We respectfully request that the Planning Department be directed to initiate community outreach before this proposal is referred to the Board of Supervisors.

Thank you for your consideration,

Kathleen Courtney

Kathleen Courtney
Chair, Housing & Zoning
kcourtney@rhcasf.com
510-928-8243

Cc: Commissioners Myrna Melgar, Rodney Fong, Milicent A. Johnson, Joel Koppel, Kathrin Moore, Dennis Richards, Jamie Cherry and Jeff Cheney RHCA

180423

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 3:09 PM
To: Mchugh, Eileen (BOS); Major, Erica (BOS)
Subject: FW: Please Oppose Mayor Process Imp. Ord.

Importance: High

From: Vedica Puri [mailto:vpuri@pillsburycoleman.com]
Sent: Tuesday, June 19, 2018 10:33 AM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: Hepner, Lee (BOS) <lee.hepner@sfgov.org>
Subject: Please Oppose Mayor Process Imp. Ord.
Importance: High

Dear Supervisors:

I write to urge you to oppose the Mayor's Process Improvement Ordinance.

It should be renamed the "Reduce Community Involvement" Ordinance because that's what it does.

Not only has the Ordinance not been subject to community review, it would cut a 30-day review process down to 20. The 30-day process is, in and of itself, extremely limited. A further cut is simply not justified.

The only benefit of this ordinance is to make things easier for developers.

San Francisco neighborhoods and its waterfront are far too precious to allow unfettered development without adequate community review time.

Thanks,
Vedica Puri
Resident, Northeast Waterfront

180423

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 9:50 AM
To: Somera, Alisa (BOS)
Subject: FW: Subject: File No. 180423 – "Process Improvements" Legislation

From: Glenn Rogers [mailto:alderlandscape@comcast.net]
Sent: Tuesday, June 19, 2018 9:21 AM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Subject: File No. 180423 – "Process Improvements" Legislation

Board of Supervisors,

- Do not reduce the type and size of notices. Keep the current 11"x17" plans (printing it on 8-1/2"x11" only shrinks the already micro-print of the 11"x17" plans and is not a solution)
- Keep the notices for pop-outs up to 2 stories high in rear as per Planning Code today
- Do not reduce the notification time but keep today's 30 days' notice

Glenn Rogers, RLA
Treasurer,
Parkmerced Action Coalition

150423

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 9:50 AM
To: Somera, Alisa (BOS)
Subject: FW: Mayor's "Process Improvement Ordinance" Please oppose.

From: David Pennebaker [mailto:david@droubiteam.com]
Sent: Tuesday, June 19, 2018 9:39 AM
To: Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>
Cc: supervisors <supervisors@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Mayor's "Process Improvement Ordinance" Please oppose.

Dear Supervisor Sheehy,

I am joining my neighbors in Dolores Heights, District 8 and communities throughout San Francisco to ask that you and the Board of Supervisors vote to oppose the Mayor's so-called "Process Improvement Ordinance" at today's (Tuesday 6/19) Board of Supervisors Meeting.

Under the guise of "process improvement", this Ordinance seriously erodes the public's ability to engage in review of projects. The Ordinance has been rushed through to the Board of Supervisors by the Planning Department staff, ignoring input from the public and the Planning Commission.

There is a serious issue with trust at this point. In some ways it's a good thing because the long time citizens of San Francisco are watching everyone more closely and sniffing out the corruption that is so obviously present in our current political and economic environment.

The losses felt by neighbors from the one-sided proposed changes include:

- reduction of the neighborhood notice period from 30 days to 20 days, making it even harder for neighbors to have input regarding such things as removal of housing units, demolitions and alterations;
- total elimination of neighborhood notification for rear yard additions up to two stories and 12 horizontal feet into the rear yard; and
- reduction of the size of neighborhood notice materials from an 11"X17" to a single half sheet.

The City has a duty to deliver new housing and to prioritize the construction of affordable units in its neighborhoods. But facilitating this at the expense of meaningful community input threatens our democratic system and, in the long run, will prolong our existing approval process.

Please vote against the loss of community engagement that would result from the Mayor's Process Improvement Ordinance.

Thank you.

Sincerely,
David S. Pennebaker

180483

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 9:32 AM
To: Somera, Alisa (BOS)
Subject: FW: Oppose the Mayor's Process Improvement Ordinance!

From: Rhett Currier [mailto:rhettcurrier@gmail.com]
Sent: Tuesday, June 19, 2018 8:29 AM
To: Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>
Cc: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Oppose the Mayor's Process Improvement Ordinance!

This ordinance is a very bad idea - it needs major amendment: For example:

The losses felt by neighbors from the one-sided proposed changes include:

- reduction of the neighborhood notice period from 30 days to 20 days, making it even harder for neighbors to have input regarding such things as removal of housing units, demolitions and alterations;
- total elimination of neighborhood notification for rear yard additions up to two stories and 12 horizontal feet into the rear yard; and
- reduction of the size of neighborhood notice materials from an 11"X17" to a single half sheet.

The City has a duty to deliver new housing and to prioritize the construction of affordable units in its neighborhoods. But facilitating this at the expense of meaningful community input threatens our democratic system and, in the long run, will prolong our existing approval process.

I AM FOR SMART DEVELOPMENT, AND THIS IS NOT SMART!

Please vote against the loss of community engagement that would result from the Mayor's Process Improvement Ordinance.

180423

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 7:49 AM
To: Somera, Alisa (BOS)
Subject: FW: Mayor's Process Improvement Ordinance

From: CJ Verburg [mailto:verb@sonic.net]
Sent: Monday, June 18, 2018 10:32 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Mayor's Process Improvement Ordinance

Dear Supervisors:

This is to express my strong opposition to the above ordinance.

By cutting back so drastically on which kinds of projects require neighborhood notification, and the time frame for notification, and the amount of detail presented to neighbors, it would further strain relations within our already crowded dwelling area.

It also subverts the concept of the commons as the cornerstone of dense residential areas in favor of individual entitlement, which is likely to have dire and far-reaching consequences.

Thank you for your attention to this issue.

Carol Verburg
561 Greenwich St., SF 94133
cjverburg.net

180472

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 7:48 AM
To: Somera, Alisa (BOS)
Subject: FW: Opposition to the Mayor's Process Improvement Ordinance

From: Jack Moss [mailto:jac.moss@aol.com]
Sent: Monday, June 18, 2018 10:13 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; bos-legislativeaides@sfgov.org
Subject: Opposition to the Mayor's Process Improvement Ordinance

Honorable Members, Board of Supervisors, City and County of San Francisco

Honorable Supervisors:

Regarding the Mayor's Process Improvements Ordinance (the "Ordinance", item 11 on the Planning Commission's June 7 Meeting Agenda), this matter should be continued until meaningful progress is made on reforming Section 317 and related provisions of the Planning and Building Codes. To the extent that the Ordinance purports to issue from the City's Executive Branch, it would be prudent to continue this item until there is further clarity regarding the next administration's priorities. Further, such a continuance would provide the Planning Department an opportunity to fulfill its duty to inform impacted community groups prior to its adoption.

Respectfully submitted,

Jack and Ingrid Moss
265 Telegraph Hill Blvd.
San Francisco, CA 94133

180473

From: Calvillo, Angela (BOS)
Sent: Tuesday, June 19, 2018 7:48 AM
To: Somera, Alisa (BOS)
Subject: FW: Please Oppose Mayor's Planning Process Improvement Ordinance

From: Bruce Bowen [mailto:bruce.r.bowen@gmail.com]
Sent: Monday, June 18, 2018 9:48 PM
To: Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>
Cc: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Please Oppose Mayor's Planning Process Improvement Ordinance

Dear Supervisor Sheehy

I am joining my neighbors in Dolores Heights, District 8 and throughout San Francisco to ask that you and the Board of Supervisors vote to oppose the elimination of neighborhood notice and community input in the Planning process that would result from the Mayor's so-called "Process Improvement Ordinance" at Tuesday's Board of Supervisors Meeting.

Under the guise of "process improvement", this Ordinance seriously erodes the public's ability to engage in review of projects. The Ordinance has been rushed through to the Board of Supervisors by the Planning Department staff, ignoring input from the public and the Planning Commission.

The losses felt by neighbors from the one-sided proposed changes include:

- reduction of the neighborhood notice period from 30 days to 20 days, making it even harder for neighbors to have input regarding such things as removal of housing units, demolitions and alterations;
- total elimination of neighborhood notification for rear yard additions up to two stories and 12 horizontal feet into the rear yard; and
- reduction of the size of neighborhood notice materials from an 11"X17" to a single half sheet.

The City has a duty to deliver new housing and to prioritize the construction of affordable units in its neighborhoods. But facilitating this at the expense of meaningful community input threatens our democratic system and, in the long run, will prolong our existing approval process.

Please vote against the loss of meaningful community input that would result from the Mayor's Process Improvement Ordinance.

Thank you

Bruce Bowen
Dolores Heights

180473

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 9:33 PM
To: Somera, Alisa (BOS)
Subject: FW: OPPOSE Mayor's Process Improvements Ordinance

From: Nancy Wuerfel [mailto:nancenumber1@aol.com]
Sent: Monday, June 18, 2018 9:00 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: bos-legislative_aides@sfgov.org.
Subject: OPPOSE Mayor's Process Improvements Ordinance

Dear Supervisor,

You were elected to represent THE PEOPLE in passing laws that benefit our democratic way of life. This Process Improvements Ordinance does NOT serve THE PEOPLE.

It serves the developers who want to make money on projects at the expense of not allowing public comment on their proposals, reducing neighborhood notice times to formulate a response, assuming people can even read a notice on half a sheet of paper. If these ideas weren't so seriously insulting to the idea of democratic participation in government actions, the entire ordinance would be laughable.

Please Supervisor, stop this nonsense, oppose this ordinance, and let us get back to working together as we should be for the betterment of making San Francisco the great city it once was.

Sincerely,

Nancy Wuerfel
ONE OF THE PEOPLE

180473

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 8:23 PM
To: Somera, Alisa (BOS)
Subject: FW: Rancho Cucamonga
Attachments: Lttr - Peskin to Planning Commission re Mayors Process Improvement Ordin....pdf

For the file.

From: Stuart kaplan [mailto:pier5north@earthlink.net]
Sent: Monday, June 18, 2018 7:05 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; legislative_aids@sfgov.org
Subject: Fwd: Rancho Cucamonga

Begin forwarded message:

From: Stuart kaplan <pier5north@earthlink.net>
Subject: Rancho Cucamonga
Date: June 18, 2018 at 6:35:42 PM PDT
To: Aaron Peskin <aaron.peskin@earthlink.net>
Cc: lee.hepner@sfgov.org, Shanahan Nancy <nshan@mindspring.com>

Dear Supervisor Peskin- as a four decades long resident of SF District Three, may I strongly state my opposition to proposed changes in the Planning process that would effectively eliminate neighborhood notice and community input.

For sure, without a doubt if such action is successful, our beloved San Francisco would mightly quickly turn in Rancho Cucamonga North! For any of our Supervisors not familiar with that municipal entity, I urge that they take a field trip there to inspect and come to their own conclusions.

Vigorously and sincerely and hopefully intelligently submitted,

Stuart M. Kaplan, a happy 84 year old resident of The Purple House at 289 Union, who would hate to exit this planet with such a grotesque mangling of the panning process in effect!

NOTE: You are authorized as needed to circulate this email to the other Supervisors and any other interested parties, including any architect association involved, a profession I had always thought highly of until this bit of insane nonsense.

Begin forwarded message:

From: Nancy Shanahan <nshan@mindspring.com>

Subject: CALL TO ACTION: Email your Supervisors in opposition to the Mayor's Process Improvement Ordinance

Date: June 18, 2018 at 5:46:47 PM PDT

To: P & Z <nshan@mindspring.com>

From: Lee Hepner <lee.hepner@sfgov.org>

Date: Monday, June 18, 2018 at 5:33 PM

To: "Lee.Hepner@sfgov.org." <Lee.Hepner@sfgov.org.>

Subject: CALL TO ACTION: Email your Supervisors in opposition to the Mayor's Process Improvement Ordinance

Hi, all – the first vote on the Mayor's Process Improvements Ordinance is **tomorrow**, and every Supervisor has been hammered over the weekend with supportive comments largely coming from the professional architecture community. It is with that predicate that I respectfully request that you **please email or call local Supervisors to voice your opposition to the elimination of neighborhood notice and community input in the Planning process.**

Among other sources of potential consternation, I would like to highlight 3 key pieces of the Mayor's Process Improvement Ordinance that threaten community input and exacerbate community distrust of the City's Planning process, at a time when that distrust – driven by outdated Code provisions and the City's failure to work with the community and incorporate community feedback – is causing delay to the delivery of badly-needed development projects:

- The Ordinance would **cut the period of neighborhood notice from 30- to 20-days** for, among other things, *demolitions, alterations, new construction, and removal of housing units*;
- The Ordinance would **eliminate altogether neighborhood notification for limited rear yard additions** (i.e., those up to two stories and 12' horizontal feet into the rear yard); and
- The Ordinance would **reduce the type and size of neighborhood notice materials** from a 11x17" packet to a single half sheet with unclear specifications.

The Ordinance is 70 pages long, and the above pieces pertaining to neighborhood notification are just a portion of it. There are other pieces that many of you have let me know are troubling in their own right (for example, the insufficiency of multilingual notification materials). But suffice to say that the legislative timeline for this whole ordinance has been rushed through and – by Planning staff's own admission – without the community outreach or solicitation of community input that is necessary and expected for thoughtful City policy. The City certainly has a duty to deliver new housing and to prioritize the construction of affordable housing in this neighborhood, but **facilitating development at the expense of meaningful community input threatens to undermine our democratic system and actually prolong existing approval processes by further inflaming community distrust of the Planning process.**

If you are able, **please email your Supervisors before the 2pm meeting tomorrow.** If you don't have time to do that, then please do so before the second reading of the legislation next Tuesday.

Lastly, I am attaching Supervisor Peskin's letter to the Planning Commission for review and inspiration for your own thoughts.

Thank you,

Lee Hepner
Legislative Aide
Supervisor Aaron Peskin
Office: (415) 554-7450
Direct: (415) 554-7419

Stuart Kaplan
Attorney At Law
289 Union Street
San Francisco, CA 94133
Phone: (415) 989-5297
pier5north@earthlink.net

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Attorney At Law
289 Union Street
San Francisco, CA 94133
Phone: (415) 989-5297
pier5north@earthlink.net

180473

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 8:07 PM
To: Somera, Alisa (BOS)
Subject: FW: Vote no on "process improvement ordinance"

Mayor's Process Improvement Ordinance.

From: Judy Irving [mailto:films@pelicanmedia.org]
Sent: Monday, June 18, 2018 7:02 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Vote no on "process improvement ordinance"

Please don't be swayed by the lobbying of architects and developers intent on making fast money as you decide how to vote on the so-called "Mayor's Process Improvement Ordinance." We all agree that we need more affordable housing, but not at the expense of a transparent public planning process. You will be held accountable if your constituents are excluded from development decisions that affect our city and our lives. We will be watching.

Eliminating some notices, cutting the time period for other notices, and shrinking the size of information packets sent to the public to a vague half-sheet of paper do NOT constitute improvements; rather, they are an attempt to subvert and/or eliminate public input. The Planning Department itself has admitted that this ordinance is a rush job, that no meaningful outreach has been done. San Francisco should be proud of "neighborhood notice" and "community input," protecting rather than abolishing this essential democratic process.

Thank you,

Judy Irving
Producer/Director

"The Wild Parrots of Telegraph Hill"
"Pelican Dreams"
"Dark Circle"

Member, Academy of Motion Picture Arts and Sciences

www.pelicanmedia.org
1736 Stockton Street, Suite 2
San Francisco, CA 94133
415-362-2420

180473

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 8:07 PM
To: Somera, Alisa (BOS)
Subject: FW: Rancho Cucamonga
Attachments: Ltr - Peskin to Planning Commission re Mayors Process Improvement Ordin....pdf

Mayor's Process Improvement Ordinance.

From: Stuart kaplan [mailto:pier5north@earthlink.net]
Sent: Monday, June 18, 2018 7:11 PM
To: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Fwd: Rancho Cucamonga.

Begin forwarded message:

From: Stuart kaplan <pier5north@earthlink.net>
Subject: Rancho Cucamonga
Date: June 18, 2018 at 6:35:42 PM PDT
To: Aaron Peskin <aaron.peskin@earthlink.net>
Cc: lee.hepner@sfgov.org, Shanahan Nancy <nshan@mindspring.com>

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For sure, without a doubt if such action is successful, our beloved San Francisco would mightily quickly turn in Rancho Cucamonga North! For any of our Supervisors not familiar with that municipal entity, I urge that they take a field trip there to inspect and come to their own conclusions.

Vigorously and sincerely and hopefully intelligently submitted,

Stuart M. Kaplan, a happy 84 year old resident of The Purple House at 289 Union, who would hate to exit this planet with such a grotesque mangling of the panning process in effect!

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Subject: CALL TO ACTION: Email your Supervisors in opposition to the Mayor's Process Improvement Ordinance

Date: June 18, 2018 at 5:46:47 PM PDT

To: P & Z <nshan@mindspring.com>

From: Lee Hepner <lee.hepner@sfgov.org>

Date: Monday, June 18, 2018 at 5:33 PM

To: "Lee.Hepner@sfgov.org." <Lee.Hepner@sfgov.org.>

Subject: CALL TO ACTION: Email your Supervisors in opposition to the Mayor's Process Improvement Ordinance

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- The Ordinance would **cut the period of neighborhood notice from 30- to 20-days** for, among other things, *demolitions, alterations, new construction, and removal of housing units*;
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- The Ordinance would **reduce the type and size of neighborhood notice materials** from a 11x17" packet to a single half sheet with unclear specifications.

The Ordinance is 70 pages long, and the above pieces pertaining to neighborhood notification are just a portion of it. There are other pieces that many of you have let me know are troubling in their own right (for example, the insufficiency of multilingual notification materials). But suffice to say that the legislative timeline for this whole ordinance has been rushed through and – by Planning staff's own admission – without the community outreach or solicitation of community input that is necessary and expected for thoughtful City policy. The City certainly has a duty to deliver new housing and to prioritize the construction of affordable housing in this neighborhood, but **facilitating development at the expense of meaningful community input threatens to undermine our democratic system and actually prolong existing approval processes by further inflaming community distrust of the Planning process.**

If you are able, **please email your Supervisors before the 2pm meeting tomorrow.** If you don't have time to do that, then please do so before the second reading of the legislation next Tuesday.

Lastly, I am attaching Supervisor Peskin's letter to the Planning Commission for review and inspiration for your own thoughts.

Thank you,

Lee Hepner
Legislative Aide
Supervisor Aaron Peskin
Office: (415) 554-7450
Direct: (415) 554-7419

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289 Union Street
San Francisco, CA 94133
Phone: (415) 989-5297
pier5north@earthlink.net

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Attorney At Law
289 Union Street
San Francisco, CA 94133
Phone: (415) 989-5297
pier5north@earthlink.net

180423

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 8:07 PM
To: Somera, Alisa (BOS)
Subject: FW: File No. 180423 - "Process Improvements" Legislation

Mayor's Process Improvement Ordinance.

From: :) [mailto:gumby5@att.net]
Sent: Monday, June 18, 2018 7:15 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: File No. 180423 - "Process Improvements" Legislation

Dear Board of Supervisors:

Besides my 17-page letter to Planning in late May (posted on Explanatory Docs) for the June 7 Commission meeting, to which I never received any responses to date, I am very surprised that not one neighborhood person, not even just the leadership of neighborhoods were ever invited to give input on what is most important in the entire process – the residents and the people who own the properties that will be affected, the tenants who live in the properties, the merchants who may be affected by Sec. 312 issues, etc.

The 70-page legislation is really a “fire hose” (in the words of one Planning Commissioner) of changes thrown at the neighbors at a time when there is a lot of consternation and distrust after the SB-827 debacle of having the state powers overtake local rule.

Now, this is local rule over the residents who are tax payers and voters.

→ Do not pass this legislation at the June 19, 2018 BOS meeting

There are too many holes in it to impact the neighbors and at the very least, give the neighbors a chance to weigh in. The Planning Commission's 2-3 minute comment period does not do justice to what needs to be corrected, dumped, etc.

- Not everyone speaks English
- Not everyone is wired (Chronicle today says 100,000 residents don't have internet access)
- Plans that have not gone through Planning are not plans to take seriously as in Pre-application plans
- Block Book Notifications are a dumb way to find out after paying \$39 per parcel for noticing only to get the notice too late in the Pre-application process when DBI has issued the permit and there's only 15 days for Appeal. I just got a 311 notice that's postmarked 7 days ago so I have lost a whole week before the deadline and the BOS wants to cut the notices to 20 days? This is incredible also in that neighborhood organizations do not have the luxury to turn on a dime with the *maybe* 10 calendar days left to respond, especially if the planner is out of town. It's a joke.
- The lack of the Planning Commission, the Board of Supervisors whom we've elected (not DBI) to handle constituents' affairs is concerning.
- Keep the noticing period 30 days (*not* 20 days)
- Keep the radius 300-ft. (most of the notices are 300-ft.) as shrinking the radius causes less notice, not more; and it doesn't cost that much more.
- Keep the pop-out (Sec. 136(c)(25)) notices in place as they are today as they are impactful being in the rear

- Keep the 11"x17" plans and ditch the tiny postcard notices if they do not contain all the information on the current 311/312 Notices. Don't say postcards will have a link because, not everyone is wired!
- Residents deserve to be noticed. Let's get this right.
- ➔ Do not pass this legislation tomorrow, June 19, 2018. It needs work.

Sincerely,
Rose H.

180473

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 8:06 PM
To: Somera, Alisa (BOS)
Subject: FW: Please Vote to Oppose the Mayor's Process Improvement Ordinance on June 19th

Mayor's Process Improvement Ordinance.

From: Junona Jonas [mailto:junonajonas@yahoo.com]
Sent: Monday, June 18, 2018 7:48 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Please Vote to Oppose the Mayor's Process Improvement Ordinance on June 19th

Dear Members of the Board of Supervisors,

I am writing to ask you to **vote in opposition** of the Mayor's Process Improvement Ordinance at tomorrow's (Tuesday's) Board of Supervisors Meeting.

This Ordinance threatens community input and will exacerbate community distrust of the City's Planning process. It will hinder the City's ability to work with the community and to incorporate their feedback on projects having great impact on them.

Among a number of troubling inclusions, the Ordinance will:

- reduce the neighborhood notice period from 30 days to 20 days making it even harder for neighbors to have input regarding such things as removal of housing units, demolitions and alterations
- totally eliminate neighborhood notification for rear yard additions up to two stories and 12 horizontal feet into the rear yard
- reduce the size of neighborhood notice materials from an 11"X17 to a single half sheet

By Planning staff's own admission, this whole Ordinance has been rushed through without community outreach and without solicitation of input that is necessary and expected for thoughtful City policy.

The City has a duty to deliver new housing and to prioritize the construction of affordable units in its neighborhoods. But facilitating this at the expense of meaningful community input threatens our democratic system and, in the long run, will prolong our existing approval process.

Please vote to **oppose** the Mayor's Process Improvement Ordinance.
Thank you,
Junona Jonas

180473

From: Calvillo, Angela (BOS)
Sent: Monday, June 18, 2018 8:06 PM
To: Somera, Alisa (BOS)
Subject: FW: Please consider these suggestions at your full meeting of the Board tomorrow 6/19
Thank you very much
Attachments: Board file 180423.pdf

For the file please.
Thank you.

From: Thomas Schuttish [mailto:schuttishtr@sbcglobal.net]
Sent: Monday, June 18, 2018 7:51 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Please consider these suggestions at your full meeting of the Board tomorrow 6/19 Thank you very much

To: Board of Supervisors City and County of San Francisco
Re: Board File No. 180423 Mayor's Process Improvement Ordinance
From: Georgia Schuttish (schuttishtr@sbcglobal.net)
Date: June 14, 2018

As a resident of San Francisco and someone who has been receiving 311 Notices for Noe Valley as an Interested Party for years, I urge the Board to consider the importance of the transparency in the Notification process.

- ***The 30 day notification should be the umbrella for notices, if one notice date gives simplification to the process, it should be 30 days as recommended by the Planning Commission. The current 311 Notification is 30 days. This is one of the most important notification for immediate neighbors and interested parties and is the right amount of time to understand a project and to talk to project sponsors. The Land Use Committee was incorrect in rejecting the 30 day period. 20 days is too short to be the "one size fits all".***
- Per Section 311, 11 x 17 plans should be USPS mailed to immediate neighbors and interested parties for alterations, as well as CUA's for new construction in the R Districts. Reduction in the 150' notification area will cut back on paper, but mailing to immediate neighbors and interested parties will allow for good public input that is critical to a proper and open planning process. Immediate neighbors and interested parties should not have to scramble for plans.
- *The Pre-Application process needs a more formalized process to insure neighbors understand what is happening next door to them. Pre-Application notices should not be sent in plain envelopes that often have no return address and look like junk mail. If the Board intends to follow the Land Use Committee's recommendation and make "pop-outs" approval Over-the-Counter (contrary to the Planning Commission recommendation) then the notice of a Pre-Application meeting for any work under Planning Code Section 136 must be comprehensive and transparent, as it should be in every other instance as well where a Pre-Application Meeting is required by Code. A better Pre-Application process could limit misunderstanding and introduce transparency at the start.*

Member, Board of Supervisors
District 3



City and County of San Francisco

AARON PESKIN
佩斯金市參事

June 7, 2018

San Francisco Planning Commission
San Francisco City Hall
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

Commission President Hillis and Commissioners:

I write with regard to Item 11 on your June 7 Meeting Agenda, the Mayor's Process Improvements Ordinance (the "Ordinance"). The 70-page legislative text consists of a number of substantive amendments which curtail neighborhood notification, absent any indication that the impacted community has been consulted on – much less informed of – the various ways in which its voice is potentially being stifled. Ultimately, the proposed Ordinance foments further distrust of development in San Francisco at a moment when trust among its residents is sorely lacking.

Following the Planning Department's May 17, 2018 informational presentation on the Ordinance, various Commissioners expressed support for expediting delivery of 100% affordable housing projects. But Commissioners also expressed reservation about restricting the notice period for certain projects from 30 to 20 days, reducing the size of notice documents from 11x17 inches to the size of a postcard, and eliminating notification altogether for certain rear yard additions. I share these sentiments and further suggest that the Ordinance's fundamental flaw is also its core irony – i.e., that the Department is presenting for adoption a complex measure to restrict community input absent any effort to consult with, solicit feedback or even inform neighborhoods regarding the changes.

Before City officials go down the treacherous path of limiting opportunities for community input, the City must acknowledge and honor the community's repeat requests for holistic reforms that *inhibit* instead of incentivize speculation, and which *preserve* existing housing while *protecting* our City's majority-renter population from eviction and displacement. Inasmuch as trust is currency in our system of democracy, the cost of limiting neighborhood notification and opportunity for community input – absent clear and enforceable code reform – is the critical expenditure of the community's trust in our processes.

At a minimum, this matter should be continued until meaningful progress is made on reforming Section 317 and related provisions of the Planning and Building Codes. Further, to the extent that the Ordinance purports to issue from the City's Executive Branch, it would be prudent to continue this item until there is further clarity regarding the next administration's priorities.

Such a continuance would provide the Department an opportunity to fulfill its duty to inform impacted community groups of the proposal *prior* to its adoption. If your Commission sees fit to recommend some form of the Ordinance today, it should do so absent any changes to the current rubric for neighborhood notification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Peskin', written in a cursive style.

Aaron Peskin

180473

From: Board of Supervisors, (BOS)
Sent: Monday, June 11, 2018 2:53 PM
To: Tang, Katy (BOS); Kim, Jane (BOS); Safai, Ahsha (BOS); Major, Erica (BOS)
Subject: FW: Support for improvements to planing efficiency including eliminating pop-outs

From: James Hill [mailto:jameshill@jameshillarchitect.com]
Sent: Monday, June 11, 2018 1:08 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Fwd: Support for improvements to planing efficiency including eliminating pop-outs

From: James Hill <jameshill@jameshillarchitect.com>
Subject: Support for improvements to planing efficiency including eliminating pop-outs
Date: June 11, 2018 at 1:04:50 PM PDT
To: Jane.Kim@sfgov.org

Land-Use Committee Members:

I am a member of the 200 member Small Firm Architects Committee. Speaking only for myself, the Committee has pushed and pushed to get the planning department to hear in our voices the frustrations and disbelief of thousands of our clients as we tell them adding a one-story rear deck will take 4 months minimum with the Planning Department. For a two-story pop-out could be a year. The good news, after that Building Department approvals for life safety can be approved in an afternoon. Clients are incredulous, they want an expeditor, or they ask us to place odds on their getting caught if they go ahead and do the work without a permit, or they abandon the project altogether—or they abandon the architect.

When we asked a director of historical resources how we could help problem solve to improve permitting delays his answer was it's all about process. "San Franciscans love process." I was approached by a member of the Bernal Heights Design Review Board who wanted help with their rearyard deck which had serious code issues. He'd like to hire me but made it clear he did not intend to get a permit. Another planning department head said she, herself, would never consider building an addition in San Francisco.

It is fairly common for an exterior renovation project in San Francisco to engage for a month or four in negotiations over a neighbor's illegal property line windows and roofed over light wells. Common conditions which we all recognize and challenge us all. **And this is just the pre-application process, after this delay begins the 4-6 month 311 notification process.** The results seriously compromise the intentions of a good neighbor policy.

As an architect we are taught to problem solve complex problems combining logic and understanding. The notification process puts us to the test of solving for the un-codified and the unpredictable. This uncertainty is reflected in departmental back logs. For us, to have the planning department hear us and problem solve to improve efficiency with small improvements like these is

fantastic, a tremendous step. What seems a minor change to you and me, incredibly well supported and constrained by the limits of the code, is a tremendous step in problem solving and efficient government.

Rear yard pop-outs only affect adjacent neighbors who are already notified during the Pre-Application process. To extend the process with 311 notification and include the entire block does nothing to help poorer residents who use pop-outs to provide alternative housing for extended or growing families

The department and the architectural community look to the commission for direction and it would be fantastic to see this commission step up, support the department and the logical direction toward improvement.

Sincerely,

James Hill
AIA
james hill architect
836 Haight Street
San Francisco, CA 94117
phone: 415 864 4408

visit us on the web at
jameshillarchitect.com
and blogging at
talkingbuildings.com

180423

From: :) <gumby5@att.net>
Sent: Monday, June 11, 2018 6:09 PM
To: Major, Erica (BOS)
Cc: Board of Supervisors, (BOS)
Subject: For 6/11/2018 BOS-LUC Minutes (Planning Code: Review for Downtown...)

Dear Ms. Erica Major:
Please put verbatim into the 6/11 BOS-LUC minutes per Sunshine.
It is for File No. 180423.
I sent this electronically so you wouldn't have to retype the hardcopy that I submitted at today's meeting.
Thank you very much.
Rose Hillson for CSFN

Process Improvements Leg:

Coalition for San Francisco Neighborhoods (CSFN.NET) letter of 5/24/2018:

- Lack of public outreach
- Notification:
 - Reduce notice time (negative)
 - Remove newspaper notices (negative)
 - Include tenant notices (positive)
- Request continued notification of pop-outs
- Concerns with Sec. 136(c)

At June 7, 2018 PC meeting, in motion to adopt 6-1:

1. Keep 30 days notices straight across the board.
2. Keep notices for pop-outs.
3. Not finalize notification without policy set and implementation steps.
4. For Affordable Housing, use Building Code for performance standards and pay prevailing wage.
5. Lookback after implementation of one year.



180423
6/11/2018
SUBMITTED + PROGRAM

May 24, 2018

Commission President Rich Hillis
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Mayor's Process Improvement Ordinance, scheduled for hearing on June 7, 2018

President Hillis and Commissioners,

The Coalition for San Francisco Neighborhoods appreciates the goal to streamline the planning and approval process as embodied in the Mayor's Process Improvement Ordinance. We are still reviewing the legislation, but certain sections of the legislation stand out as raising concerns for public participation in the planning process - in particular, the proposed changes to the notifications process, including the omission of notifications for the construction of pop-outs and certain other 136(c) items.

- Notifications Process: The changes to the notifications process include but are not limited to eliminating full written notifications, eliminating newspaper notifications, narrowing the radius for certain notifications, and shortening the timeline for residents to respond to notifications. All of these have the potential to disenfranchise local residents, who as a result may not be able to respond on a timely manner. The Coalition for San Francisco Neighborhoods believes that the current notification process should not be pared down as outlined in this legislation, with the exception of adding the notification of occupants. Notifying occupants will facilitate keeping tenants informed of changes to their surrounding buildings. Notification of tenants is an important increase in transparency and should be instituted.
- Pop-outs: We are concerned about the proposal to eliminate the planning review and neighborhood notifications for pop-outs, in the interest of issuing over-the-counter permits for them. Pop-outs can extend out into the yards up to 12 feet and go up to two stories. This kind of building project could have a serious impact on neighbors' uses of and enjoyment of their property, in addition to having an impact from construction such as excavations and installing foundations for these additions. The Coalition for San Francisco Neighborhoods asks that this change be eliminated.
- Other Sec. 136(c) Items: Bases of items such as for flagpoles (136(c)(11)), retaining walls (136(c)(13)), underground garages (136(c)(26)), e.g., can also involve excavation and impact foundations, especially in required side setback areas. These potentially impactful items should be noticed.

We are troubled by the lack of a true community outreach process in formulating this legislation and ask that, before proceeding with this legislation, the Planning Department reach out to the neighborhoods for their input.

Thank you for your consideration.
Sincerely,

George Wooding
President

To: The Land Use Committee, San Francisco Board of Supervisors
June 11, 2018 Mayor's Process Improvement Ordinance

Board File No. 180423

From: Georgia Schuttish, Noe Valley Resident

1. The all around 30 day notice period is good.
2. Plans must be mailed (USPS) to occupants and immediate neighbors and interested parties in 11 x 17 size as are currently mailed under Section 311. This size *cannot* be printed on home computers. Plans should also be mailed for CUA projects in the RH zoned neighborhoods. (Demolitions and new construction).
3. The Pre-Application process should be more formalized than it is currently and once the permit is filed there should be a follow up with neighbors and interested parties by the Project Sponsor. Planning Staff should notify these interested neighbors and parties of various stages of the review project *by email*. This could create an ongoing dialogue that would minimize objection to a project and a collaboration that could potentially create a better project. It would become a more transparent process than it is currently, when there is a huge gap of time between Pre-App meeting and 311 Notification.
4. Limited Rear Yard Additions under Section 136 (c) (25) should not be approved Over the Counter (OTC). They are often part of a larger addition into the rear yard, not just the "simple" expansion. They can involve issues of privacy, light and air.
5. The type of envelopes or "postcards" used in noticing should receive input at a meeting between the Department and community members prior to implementation of the Ordinance next year.
6. Again 11 x 17 plans must be mailed to immediate neighbors, occupants and interested parties when they are finalized by the Planning Staff as written above in #2. And plans must clearly show the relationship to adjacent buildings, they must be accurate, they must be complete, they must have a graphic scale, and show Demo Calcs, if appropriate. This is critical for good neighborhood planning.

Process Improvements Leg:

180423
6/11/2018

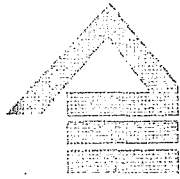
Coalition for San Francisco Neighborhoods (CSFN.NET) letter of 5/24/2018: SUBMITTED +
PRESENTED

- Lack of public outreach
- Notification:
 - Reduce notice time (negative)
 - Remove newspaper notices (negative)
 - Include tenant notices (positive)
- Request continued notification of pop-outs
- Concerns with Sec. 136(c)

At June 7, 2018 PC meeting, in motion to adopt 6-1:

1. Keep 30 days notices straight across the board.
2. Keep notices for pop-outs.
3. Not finalize notification without policy set and implementation steps.
4. For Affordable Housing, use Building Code for performance standards and pay prevailing wage.
5. Lookback after implementation of one year.

180473



**Asian American
Architects and
Engineers**

June 18th, 2018

Members of the Board of Supervisors
Clerk of the Board
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

VIA EMAIL

Re: Process Improvements, Item #28 on June 19th Agenda

Dear Supervisors,

On behalf of the Board of Asian American Architects and Engineers (AAAE) Northern California, we are writing in support of the Planning Department Process Improvements Ordinance:

- Modifications to the Notification Process to make them uniform across the different types of approval, and make the process speedier. With notification period of 20 days.
- Making rear yard pop-outs in Section 136.c.25 approvable Over-the-counter, with a required Pre-Application outreach meeting.
- Allowing minor changes to historic buildings under chapters 10 & 11 without obtaining a Certificate of Appropriateness.
- Making 100% affordable housing projects approvable administratively without Planning Commission hearings.

We believe this ordinance will improve our members businesses, and most importantly, mitigating housing displacement for all San Franciscans. Improving the livelihood and social economical diversity of our communities is vital to the future of our City.

We applaud everyone in the Planning Department who work tirelessly with all community stakeholders to identify what we collectively can do to streamline our approval process.

AAAE is a non-profit business advocacy organization, founded 40 years ago, with the goal of creating equal opportunities for our members. Through our advocacy, over 100 Asian American owned architectural and engineering firms have emerged. AAAE was a founding member of the Council of Asian American Business Associations (CAABA).

Thank you for your consideration to support this Planning Department Process Improvements Ordinance and your service to our City.

Sincerely,

AAAE Board of Directors:

Ben Au, Lydia So, Gary Gee, Darlene Jang, Ellen Lee, Marlene Wong, Kendall Young, Chi-Hsin Shao

180423



GAST ARCHITECTS

355 11th STREET, SUITE 300, SAN FRANCISCO, CA 94103

T 415.885.2946 F 415.885.2808 WWW.GASTARCHITECTS.COM

June 16, 2018

Members of the Board of Supervisors
Clerk of the Board
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

VIA EMAIL

Re: Process Improvements, Item #28 on June 19th Agenda

Dear Board Members:

I have lived in San Francisco for close to fifty years, raised my children here, and practiced architect with my own firm in the City for four decades. In that time, I have experienced an exponential growth in the complexity, costliness and the time it takes to gain approval for the renovation or construction of the single family homes and small multifamily units that we specialize in. No other jurisdiction we have worked in comes close to approaching S.F. in this regard.

Your policies state that it is important to keep families in the City, and to house a diversity of people at all income levels. Yet, the uncertainties due to the complexities and contradictions of the codes and guidelines you enforce, and the costs and the extraordinary length of time it takes to obtain even minor changes to the exterior envelope of buildings, or obtain permission to build new buildings, work against your stated goals. A change to the envelope of a single family residence routinely takes from a year to a year and a half to get through Zoning, the Residential Design Advisory Team, and CEQA review – and that is often just Planning’s review, not the issuance of a permit. Then, if a Variance or Conditional Use or Discretionary Review is required, add in another half year. Paraphrasing your Director, John Rahaim, “You can get a permit to build a high-rise in New York City faster than a new single family home in San Francisco.”

In the last few years, we’ve experienced all too many clients abandoning projects as the approvals take too long, are capricious, and are overly costly – if you want to keep families, , workers, civil servants, and a diverse population living in the City, you need to allow residents to modify and create new homes in a timely and less costly manner. The changes to Section 136.c.25 to allow approval over-the-counter of modest rear yard pop-outs, but still require a Pre-Application Outreach meeting to adjacent property owners and renters are long overdue, and balance the needs of neighbors and property owners.

I strongly support the following process changes, which daily impact my practice, and my clients’ lives:

- Modifications to the Notification Process to make them uniform across the different types of approval, and make the process speedier.
- Making rear yard pop-outs in Section 136.c.25 approvable over-the-counter, but require a Pre-Application Outreach meeting.
- Allowing minor changes to historic buildings under chapters 10 & 11 without obtaining a Certificate of Appropriateness.
- Speeding up approvals of projects with all affordable units.

In meetings of the AIA SF Public Policy and Advocacy Committee, of which I am a member, with Jeff Joslin and Elizabeth Watty's Current Planning Division staff, significant progress has been made in identifying procedures and regulations that are not working as intended, and modifying them. We hope to be able to continue this process with your staff and you as Commission members.

The process changes before you, although small steps, help improve a system that mystify residents and their consultants, and gobble up your own staffs' time that would be better spent on more crucial matters. They deserve your support.

Sincerely,

David S. Gast

David S. Gast, AIA, LEED AP
Founding Principal

180423



SPUR

San Francisco | San Jose | Oakland

15 June 2018

Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Mayor's Process Improvements Ordinance
Case #2018-004633PCA, Board File #180423

Dear Supervisors:

Thank you for the opportunity to weigh in on the Mayor's Process Improvements Ordinance, coming out of Mayor Lee's Executive Order 17-02 to speed up the approval and permitting of housing across San Francisco. SPUR strongly supports this strategic effort to streamline the approvals process by:

- Allowing broadly supported and desperately needed 100 percent affordable housing projects to be approved administratively. These projects face enough challenges and barriers without the city's entitlements and permitting process also getting in the way.
- Streamlining the approval of large downtown residential projects that currently have to undergo duplicative hearing processes.
- Allowing minor scopes of work to be approved administratively by staff .
- Standardizing neighborhood notification requirements, reducing from more than 30 different sets of requirements. We believe that Planning staff have carefully looked at how to standardize the notification requirements and process in a way that preserves the community's voice. It is astonishing that there are more than 30 sets of requirements for notification, and it is therefore not surprising that mistakes get made, further delaying the approval of projects large and small. Standardizing these requirements and eliminating neighborhood notice for rear yard pop-outs seems very reasonable. **We are happy to see that the Land Use and Transportation Committee is recommending the 20-day notification period as the standard.** We had serious concerns that using the Planning Commission's recommended 30-day notification period would serve to abnormally lengthen notification periods for simple, small projects which are currently 10 days and those that currently require 20 days. **We are also pleased that the Land Use and Transportation Committee is recommending inclusion of the popout portion of the ordinance since these additions are routinely approved. According to the department, two full-time staff could be deployed toward more important work at Planning if this one change is made.** If we are to weigh the relative importance of popouts versus a major housing project or a new area plan or anti-displacement efforts, we believe there are compelling reasons to approve this proposal.

SAN FRANCISCO
654 Mission Street
San Francisco, CA 94105
(415) 781-8726

SAN JOSE
76 South First Street
San Jose, CA 95113
(408) 638-0083

OAKLAND
1544 Broadway
Oakland, CA 94612
(510) 827-1900

spur.org

We encourage the city to continue seeking opportunities to make the approvals process more efficient without giving up project quality. The Planning Department's December 2017 plan outlines more legislative ideas that we hope could also come forward soon. We urge the city to simplify and standardize environmental review analysis and historical preservation criteria to have a more efficient process and yield more consistent results. In SPUR's recent *San Francisco's Next Mayor: A Blueprint for Change*, we also recommend moving toward eliminating discretionary review and relying on the Board of Appeals process instead, and we suggest pushing forward more Class 32 exemptions.

Thank you for your consideration. Do not hesitate to reach out if you have any questions.

Best,

A handwritten signature in black ink, appearing to read 'KWang', written over the printed name.

Kristy Wang
Community Planning Policy Director

cc: SPUR Board of Directors

180423

From: Board of Supervisors, (BOS)
Sent: Monday, June 18, 2018 8:24 AM
To: Major, Erica (BOS)
Subject: FW: Item #28, Board File 180423 Review for Downtown, etc. (aka 2018-004633PCA "Process Improvements")
Attachments: CSFN - Process Improvements BOS - ver 1a.pdf

From: :) [mailto:gumby5@att.net]
Sent: Friday, June 15, 2018 5:03 PM
To: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Richards, Dennis (CPC) <dennis.richards@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Johnson, Milicent (CPC) <milicent.johnson@sfgov.org>; Melgar, Myrna (CPC) <myrna.melgar@sfgov.org>; 'Rich Hillis' <richhillissf@gmail.com>; 'Rodney Fong' <planning@rodnefong.com>; Secretary, Commissions (CPC) <commissions.secretary@sfgov.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Bintliff, Jacob (CPC) <jacob.bintliff@sfgov.org>
Subject: Item #28, Board File 180423 Review for Downtown, etc. (aka 2018-004633PCA "Process Improvements")

Dear President Breed (Mayor-Elect) and Members of the Board of Supervisors:
Please see attached letter from the Coalition for San Francisco Neighborhoods (CSFN) re subject-referenced matter you will be taking action on on June 19, 2018.

Thank you.

Sincerely,

/s

Rose Hillson, Chair of Land Use Committee, CSFN
for George Wooding, President, CSFN

cc: Clerk of the Board of Supervisors, Planning Commission, Commissions Secretary, Director Rahaim, Planner Bintliff



June 15, 2018

Supervisor President London Breed
Board of Supervisors
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, Ca 94102-4689

Re: File No. 180423 - Mayor's "Process Improvements" Ordinance, scheduled for hearing on June 19, 2018

The Coalition for San Francisco Neighborhoods is concerned that the BOS/LUC on June 11, 2018 proposed adjustments to the Process Simplifications ordinance that went counter to some good Planning Commission recommendations. Those recommendations were arrived at after a five-hour discussion and much compromise on everyone's part.

In respect of this discussion and the complex decisions made, we ask that the Board of Supervisors support the following recommendations:

- Change all noticing times to 30 days
- Do not change the already existing pop-out noticing requirements.
- Require Planning Department Approval of Pre-application Meeting plans as to code and other usual requirements before the Pre-app meeting
- At the time the DBI permit is granted, supply neighbors with a copy of the permit.

Change all noticing times to 30 days

It is not clear that shortening the notice time for some situations from 30 to 20 days would have much of an impact on the overall length of time it takes to build a project as there are other parts of the process that are more drawn out, and these will not be modified. On the contrary, the sole goal of this shortening by 10 days seems to be to abridge the rights of the community to learn about and weigh in on development in their community.

Do not change the already existing pop-out noticing requirements

The Planning Commission recommended no change to the current pop-out noticing procedure. However, the BOS/LUC proposed changes from the current policy that would result in noticing solely during a Pre-app process, with appeal to the Board of Appeals. There are many problems with this approach:

- Pop-outs would be only noticed to a few adjacent neighbors, some of whom might be out of town for most or all of the 15 day Pre-app period.
- The time limit for appeal for the pop-out is a meager 15 days. As a consequence, there is limited or no time for neighbors to work out differences on their own.
- The 15-day time limit will induce people to immediately file an appeal to the Board of Appeals, thus putting a larger load on that Board.
- The Pre-app plans would be preliminary and would not have been vetted by the Planning Department. This makes it difficult for neighbors to understand what is going to happen next door to them. The default will be to assume the worst and to file an appeal.

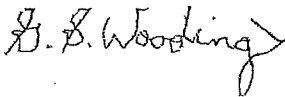
- The information that is available via the Pre-app notification is inadequate for a meaningful and thorough appeal, because the plans available would be much more limited than what would be available under the 311/312 process.
- Many San Franciscans for whom English is not their prime language would be disenfranchised; under the Pre-app process there are no interpretation facilities available to non-English speakers as there would be under 311/312 procedures.
- The whole process is unclear with regard to the ability of an aggrieved neighbor to amend or file subsequent appeals if and when the pop-out plans change.
- RH-1 neighbors of RH-2 properties would have less protection for their adjacent open space because the rights of review and appeal for their RH-2 neighbors' projects would have been drastically restricted.
- The pop-out description is fundamentally weak in that it seems not to prohibit serial pop-outs; the whole yard can be filled by a sequence of pop-outs. For this reason, it is better to allow a more complete Planning Department process so that the history and context of these developments can be understood. There is not good justification for streamlining the process - while any single pop-out plan may seem a modest change, the history and context of pop-outs on a property needs to be evaluated carefully.

Require Planning Department Approval of Pre-application Meeting plans as to code and other usual requirements before the Pre-app meeting, and at the time the DBI permit is granted, supply neighbors with a copy of the permit.

- Project Sponsor shall obtain Planning Department approval of Plans that are to be given to neighbors at Pre-application Meetings.
- Project Sponsor shall give neighbors copies of approved plans and permit at time of approval of permit.

Thank you for your consideration.

Sincerely,



George Wooding
President

CC: Clerk of the Board, Planning Commission, Commissions Secretary, Planning Department

180423

Major, Erica (BOS)

From: Board of Supervisors, (BOS)
Sent: Friday, June 15, 2018 2:17 PM
To: Major, Erica (BOS)
Subject: FW: Board File 180423/2018-004633PCA Planning Case on "Process Improvements"

From: :) [mailto:gumby5@att.net]
Sent: Thursday, June 14, 2018 1:26 PM
To: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>
Cc: Richards, Dennis (CPC) <dennis.richards@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Johnson, Milicent (CPC) <milicent.johnson@sfgov.org>; Melgar, Myrna (CPC) <myrna.melgar@sfgov.org>; 'Rich Hillis' <richhillissf@gmail.com>; 'Rodney Fong' <planning@rodneymong.com>; Secretary, Commissions (CPC) <commissions.secretary@sfgov.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Bintliff, Jacob (CPC) <jacob.bintliff@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Board File 180423/2018-004633PCA Planning Case on "Process Improvements"

Dear Board of Supervisors,

At the June 11, 2018 Board of Supervisors (BOS) Land Use Committee (LUC) [Tang, Safai, Kim], it was decided, besides changing various items that neighborhoods sought, to not adopt Planning Commission recommendations including leaving the notices at 30 days for 311/312s and adopting a 20-day noticing for everything.

One of the adopted points was how to notice the rear yard pop-outs. The BOS-LUC decided to notice these via the Pre-Application meeting/notice rather than 311/312 (or even the proposed new Sec. 333 which would give 20/30-day notice (whatever is decided on) but rather would go only to adjacent neighbors with a 15-day appeal to the Board of Appeals. The plans would not have gone through Planning Department because at one Planning Commission meeting staff mentioned that plans for proposed projects at Pre-application meetings would not yet have been approved by Planning (compliance to code, etc.).

This idea to use the Pre-application Meeting/Notice can have a number of consequences:

1. "Un-reviewed-by-Planning" plans are shown to neighbors with no definite requirements as are required by Planning Code for 311/312 Notices today. Neighbors will not necessarily be given accurate dimensions of project, have nobody to ask about the plans at Planning because they are not yet involved at this stage of the game. And the 15-day clock to appeal to Board of Appeals is running. Will the Board of Appeals get auto-magic Appeals increasing suddenly due to this proposal? Saving 2 FTEs at Planning may require 2 FTEs to be hired at Department of Building Inspection.

2. "Un-reviewed-by-Planning" plans are promised to the neighbors but there is no assurance of the plans will not change as they are usually preliminary.
3. The "Process Improvements" legislation has text that states there will *not be any duplicate notice* if another notice has been sent by somebody on the same or similar project. So if there are iterations of the plans shown at the Pre-application Meeting, how long would it take for the Project Sponsor to give them to the neighbors after the Pre-application meeting while the 15-day Appeal Period to the Board of Appeals for the initial Pre-application Meeting is running?
4. The legislation states that people who do not speak English as their main language can get a callback from an interpreter the next day on projects notified via the 311/312 Notification (to be consolidated under the new Sec. 333 as general notice); but the Pre-application meeting has no assurance of language interpreters which would take more time.
5. The idea that neighbors can get together with the neighboring owners to come to some agreement is not under the same rules as the 311/312 Notices today. They cannot go to Community Board if neighbors do not speak with each other – no right to. They cannot ask Planning because Planning knows nothing of Preliminary plans at Pre-application Meetings. Neighbors and neighborhood organizations with particular characteristics may find themselves not being able to do much except to file at the Board of Appeals and at what cost? How much is the fee?
6. What is the mechanism for neighbors to know when the "un-reviewed-by-Planning" plans for Pre-application meetings have been posted to the website since we're eliminating paper notices? What would be the time parameters?
7. Pre-application Meeting Notices are in the Project Sponsor's envelopes, many of which I have received with no return address and in non-descript Size 10 envelopes which may get lost in most people's mail as unimportant. Sometimes, these notices are not dated with very sketchy information on them and with contact information that may never get the neighbors any responses as some are P.O. Boxes and such.
8. The change from 30-day noticing to 20-day noticing is not going to apply to these Pre-application Meeting Notices.
9. Maybe other consequences to neighborhoods but I do think this needs to be thought through especially with shortened noticing, rules for duplicate noticing, etc.

Thank you for your attention to this matter as you plan to take action on Tuesday, June 19, 2018 at the Full Board.

Rose Hillson

180423

From: Board of Supervisors, (BOS)
Sent: Monday, June 11, 2018 10:10 AM
To: BOS-Supervisors; Major, Erica (BOS)
Subject: FW: Proposed Land use Legislation File 180423

From: Serina Calhoun [mailto:serina@sync-arch.com]
Sent: Monday, June 11, 2018 9:49 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: Major, Erica (BOS) <erica.major@sfgov.org>
Subject: Proposed Land use Legislation File 180423

Good Morning Supervisors,

I am a local Architect doing a large volume of work here in the City. Although I am not able to make it to the Land Use Committee Hearing this afternoon, I wanted to reach out to voice my strong support for the proposed Ordinance to streamline the review process for affordable housing projects. Truthfully, I'd like to see an ordinance like this for all projects that conform to the SF Planning Code.

The current review process is already extremely cumbersome and lengthy for projects in San Francisco. Adding unnecessary notifications opens a Pandora's box of neighborhood dissent, even when the projects are fully conforming to the SF Planning Code. I've seen projects be delayed for 2-4 additional years by contentious neighbors just because they can't accept change in their neighborhoods.

I strongly urge you to consider approving this proposal. We are in dire need of affordable housing in this City.

Thank you so much,

Serina Calhoun
Principal Architect
syncopated architecture
www.sync-arch.com
415-558-9843

180423

From: Board of Supervisors, (BOS)
Sent: Thursday, May 24, 2018 11:52 AM
To: Major, Erica (BOS)
Subject: FW: CSFN Letter on Process Improvements
Attachments: CSFN - Process Improvements modified ver. 7-- 5-23.pdf

From : :) [mailto:gumby5@att.net]
Sent: Thursday, May 24, 2018 8:54 AM
To: Richards, Dennis (CPC) <dennis.richards@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Johnson, Milicent (CPC) <milicent.johnson@sfgov.org>; Melgar, Myrna (CPC) <myrna.melgar@sfgov.org>; 'Rich Hillis' <richhillissf@gmail.com>; 'Rodney Fong' <planning@rodneyfong.com>
Cc: Secretary, Commissions (CPC) <commissions.secretary@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>
Subject: CSFN Letter on Process Improvements

President Hillis and Commissioners,
Please see attached letter from the Coalition for San Francisco Neighborhoods (CSFN) re "Process Improvements," Case No. 2018-004633PCA (Board File No. 180423).
Thank you very much.
Rose Hillson



100423

May 24, 2018

Commission President Rich Hillis
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Mayor's Process Improvement Ordinance, scheduled for hearing on June 7, 2018

President Hillis and Commissioners,

The Coalition for San Francisco Neighborhoods appreciates the goal to streamline the planning and approval process as embodied in the Mayor's Process Improvement Ordinance. We are still reviewing the legislation, but certain sections of the legislation stand out as raising concerns for public participation in the planning process - in particular, the proposed changes to the notifications process, including the omission of notifications for the construction of pop-outs and certain other 136(c) items.

- Notifications Process: The changes to the notifications process include but are not limited to eliminating full written notifications, eliminating newspaper notifications, narrowing the radius for certain notifications, and shortening the timeline for residents to respond to notifications. All of these have the potential to disenfranchise local residents, who as a result may not be able to respond on a timely manner. The Coalition for San Francisco Neighborhoods believes that the current notification process should not be pared down as outlined in this legislation, with the exception of adding the notification of occupants. Notifying occupants will facilitate keeping tenants informed of changes to their surrounding buildings. Notification of tenants is an important increase in transparency and should be instituted.
- Pop-outs: We are concerned about the proposal to eliminate the planning review and neighborhood notifications for pop-outs, in the interest of issuing over-the-counter permits for them. Pop-outs can extend out into the yards up to 12 feet and go up to two stories. This kind of building project could have a serious impact on neighbors' uses of and enjoyment of their property, in addition to having an impact from construction such as excavations and installing foundations for these additions. The Coalition for San Francisco Neighborhoods asks that this change be eliminated.
- Other Sec. 136(c) Items: Bases of items such as for flagpoles (136(c)(11)), retaining walls (136(c)(13)), underground garages (136(c)(26)), e.g., can also involve excavation and impact foundations, especially in required side setback areas. These potentially impactful items should be noticed.

We are troubled by the lack of a true community outreach process in formulating this legislation and ask that, before proceeding with this legislation, the Planning Department reach out to the neighborhoods for their input.

Thank you for your consideration.

Sincerely,

George Wooding
President

CC: Board of Supervisors, Clerk of the Board

180423

From: Board of Supervisors, (BOS)
Sent: Wednesday, May 23, 2018 3:36 PM
To: BOS-Supervisors; Major, Erica (BOS)
Subject: FW: 180423 - Mayor's Process Improvements Ordinance

From: zrants [mailto:zrants@gmail.com]
Sent: Wednesday, May 23, 2018 1:48 PM
To: Breed, London (BOS) <london.breed@sfgov.org>
Cc: Kim, Jane (BOS) <jane.kim@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; SheehyStaff (BOS) <sheehystaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: 180423 - Mayor's Process Improvements Ordinance

May 23, 2018

Copy of letter sent to the SF Planning Commissioners

Supervisors:

Re: 180423 - Mayor's Process Improvements Ordinance

First, Commissioners I want to thank you for your openness and availability to the public through a proven process that allows members of the public to communicate with you as individuals and based on your interests and comments as well as ours.

We value your time and attention to details. We also understand that you are limited in your ability to satisfy many of our concerns.

Legal ordinances such as this, that reduce public information and response times do not help you or us in our efforts to arrive at better solutions, and when incrementally handed down, they feel like a thousand cuts into our rights to Due Process.

Please share our concerns and reiterate what you already mentioned in your reports on this Ordinance. The public objects to any reductions in notice and response times. We are also concerned about altering the manner of notice and cuts to public involvement in the alterations of our neighborhoods. The only change we appreciate is the addition of notice to occupants, as well as property owners. We need to keep the 300-foot limit for the notice as well.

Some pertinent comments that we heard last week, were:

Keep the 30 days to response to the notice. Removing 10 days of public notice has no effect on the entitlement process that takes months to complete on projects that may not be built for years once they receive their entitlement. Producing entitlements is not the goal.

Production is the goal. Faster production Keep the 30 days to response to the notice. can be more easily realized by placing a time limit on the entitled properties. This would assure faster production of the buildings once they are entitled and probably dampen the speculative aftermarket in entitlements that is escalating property values. This is the kind of legislation we need to consider.

As far as the process changes in noticing are concerned, there be no reduction is the manner or type of information that is currently being sent out. The postcard with internet links will not work for everyone, and as some of you noted, it is very difficult to look at plans on a screen, and not all computers are equally adept at accessing or displaying information.

We need transparency, not less. The process needs to remain as it is now. Changing it will only confuse people and lead to less trust in the system. The only change we like is the inclusion of occupants in addition to owners of properties within 300 feet of proposed projects.

There was also some discussion about putting larger 30" x 30" notices on the effected building in a bolder, more obvious graphics that could include a site map illustrating proposed alterations.

Sincerely,

Mari Eliza, concerned San Francisco resident

cc: SF Planning Commissioners

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Joanne Hayes-White, Chief, Fire Department
Tom Hui, Director, Department of Building Inspection
Mohammed Nuru, Director, Public Works
Jonas Ionin, Director of Commission Affairs, Historic Preservation Commission

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: May 21, 2018

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following substitute legislation, introduced by Mayor Farrell on May 15, 2018:

File No. 180423-2

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: Erica.Major@sfgov.org.

Referral from the Board of Supervisors
May 21, 2018
File No. 180423-2
Page 2

c: Kelly Alves, Fire Department
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
David Steinberg, Public Works
Jeremy Spitz, Public Works
Jennifer Blot, Public Works
John Thomas, Public Works
Lena Liu, Public Works
John Rahaim, Historic Preservation Commission
Scott Sanchez, Historic Preservation Commission
Lisa Gibson, Historic Preservation Commission
AnMarie Rodgers, Historic Preservation Commission
Tim Frye, Historic Preservation Commission
Andrea Ruiz-Esquide, Historic Preservation Commission
Joy Navarrete, Historic Preservation Commission
Georgia Powell, Historic Preservation Commission

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 18, 2018

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On May 15, 2018, Mayor Farrell introduced the following substitute legislation:

File No. 180423-2

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The substitute ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Acting Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- AnMarie Rodgers, Director of Citywide Planning
- Laura Lynch, Environmental Planning
- Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 15, 2018

File No. 180423-2

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On May 15, 2018, Mayor Farrell introduced the following substitute legislation:

File No. 180423-2

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This substitute legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning 1797

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 2, 2018

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On April 24, 2018, Mayor Farrell introduced the following legislation:

File No. 180423

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Acting Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- AnMarie Rodgers, Director of Citywide Planning
- Laura Lynch, Environmental Planning
- Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

May 2, 2018

File No. 180423

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On April 24, 2018, Mayor Farrell introduced the following proposed legislation:

File No. 180423

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 (Downtown Commercial) Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize, and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

OFFICE OF THE MAYOR
SAN FRANCISCO



MARK J. FARRELL
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Farrell
RE: Substitute Ordinance – File 180423 - Planning Code –Review for
Downtown and Affordable Housing Projects; Notification Requirements;
Review of Alterations to Historical Landmarks and in Conservation
Districts
DATE: May 15, 2018

Attached for introduction to the Board of Supervisors is a substitute ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.


Should you have any questions, please contact Andres Power (415) 554-5168.

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

OFFICE OF THE MAYOR
SAN FRANCISCO




MARK FARRELL
MAYOR

TO:  Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Farrell
RE: Planning Code –Review for Downtown and Affordable Housing Projects;
Notification Requirements; Review of Alterations to Historical Landmarks
and in Conservation Districts
DATE: April 24, 2018

Attached for introduction to the Board of Supervisors is an ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Should you have any questions, please contact Andres Power (415) 554-5168.

BY 
2018 APR 24 PM 3:59
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

