

PLANNING DEPARTMENT CITY AND COUNTY OF SAN FRANCISCO

Notice of Hearing on Application For Zoning Variance

CITY HALL - Room 408
1 Dr. Carlton B. Goodlett Place

Wednesday, August 26, 2015

Session Begins at 9:30 A.M.

Public Hearing

Scott F. Sanchez, Zoning Administrator
Eva Atijera-Taylor, Recording Secretary

Notice is hereby given to the general public and to owners of the subject property and other property within 300 feet that an application for variance under the Planning Code as described below has been filed with the Zoning Administrator.

Any remaining questions concerning this application review process may be answered by the Planning Information Center at (415) 558-6377.

Variance Calendars and **Audio Recording of the Hearing** are available on the Internet at <http://www.sfplanning.org>

Accessible Meeting Policy

Hearings are held at **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 408, Fourth Floor**, San Francisco, CA. The closest accessible BART Station is the Civic Center Station located at the intersection of Market, Hyde and Grove Streets. Accessible curb side parking has been designated at points along McAllister Street. Accessible MUNI Lines serving City Hall are the 42 Downtown Loop, 9 San Bruno and 71 Haight/Noriega and the F Line. Accessible MUNI Metro Lines are the J, K, L, M, N and T. For more information regarding MUNI accessible services, call **311 within San Francisco, (415) 701-2311 outside Bay Area, or TTY (415) 701-2323**. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting **Lulu Hwang at (415) 558-6318** at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities should call our accessibility **hotline at (415) 554-8925** to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Cell Phone and/or Sound-Producing Electronic Devices Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Know Your Rights under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

For more information on your rights under the Sunshine ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact The Administrator by mail at 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-7854 or by E-mail at sotf@sfgov.org.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Administration Code 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite #220, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site <http://www.ci.sf.ca.us/ethics/>.

ENGLISH:

For language assistance or to request an assistive device for a hearing, please call 415-558-6309. Please make requests at least 48 hours in advance of the hearing.

SPANISH:

Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-558-6309. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE:

歷史保護委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-558-6309。請在聽證會舉行之前的至少48個小時提出要求。

TAGALOG:

Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-558-6309. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN:

За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-558-6309. Запросы должны делаться минимум за 48 часов до начала слушания.

**ZONING ADMINISTRATOR
NOTICE OF HEARING ON
APPLICATION FOR ZONING VARIANCE**

Notice is hereby given to the general public and to owners of the subject property and other property within 300 feet that an application for variance under the Planning Code as described below has been filed with the Zoning Administrator and will be considered at a PUBLIC HEARING to be held on the date, time, and place listed on the first page of this Calendar:

A. CONSENT CALENDAR

All items listed hereunder constitute a Consent Calendar and are considered to be routine by the Zoning Administrator. There will be no separate discussion of these items unless a member of the public so requests, in which case the matter shall be removed from the Consent Calendar and considered as a separate item at this time or at a future hearing.

1. 2015-006112VAR

(ANNE BRASK)

2138 JONES STREET, Lot 027 in Assessor's Block 0092 in a RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District.

EXPOSURE AND USABLE OPEN SPACE VARIANCES SOUGHT:

The proposal is to add one dwelling unit to the existing 5-unit building in the existing envelope.

PER SECTION 135 OF THE PLANNING CODE, the subject property requires 100 square feet of private usable open space or 133 square feet of common usable open space provided per dwelling unit. There is currently a deficit in Usable Open Space on the subject property, and the addition of one dwelling unit would exacerbate the deficit. Therefore, the project requires a variance from the open space requirement.

PER SECTION 140 OF THE PLANNING CODE, the subject property is required to provide (1) a public street, public alley at least 20 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of Planning Code Section 134, or (2) an open area which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located. The proposed unit would not meet either of these types of open areas; therefore, the project requires a variance from the exposure requirement.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-006112VAR.pdf>

2. 2015-004792VAR (CARLY GROB)

1036 POLK STREET, Lot 015 in Assessor's Block 0693 in a RC-4 (Residential - Commercial, High-Density) Zoning District and a 80-T Height and Bulk District.

USABLE OPEN SPACE VARIANCE SOUGHT: The project proposes interior alterations on the 3rd and 4th floors of a five-story mixed use building to divide unit #302 (2 BR) into two 1 bedroom dwelling units, and to divide unit #408 (2 BR) into two 1 bedroom dwelling units. The project would add two additional units to the existing 36-unit building for a total of 38 units. No exterior alterations are proposed.

SECTION 135 OF THE PLANNING CODE requires 36 square feet of private usable open space or 48 square feet of common usable open space provided per dwelling unit. There is currently a deficit in Usable Open Space on the subject property, and the addition of two dwelling units would exacerbate the deficit.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-004792VAR.pdf>.

3. 2015-007348VAR (SHAUNN MENDRIN)

33 DEARBORN STREET, Lot 53 in Assessor's Block 3577 in a RTO-M (Residential Transit Oriented-Mission) Zoning District and a 45-X Height and Bulk District.

OPEN SPACE VARIANCE SOUGHT: The project includes the conversion of the existing garage space to add three dwelling units to the existing four-unit building.

PER SECTION 135 OF THE PLANNING CODE the subject property is required to provide a total of 931 square feet of common area for the total of 7 units for the subject site. The existing rear yard can only accommodate 724 square feet of common open space. The proposed additional three dwelling units would result in an open space deficiency of 207 square feet for the site; therefore, the project requires a variance from the open space requirement.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-007348VAR.pdf>.

B. REGULAR CALENDAR**4. 2014-002069VAR (ALEXANDRA KIRBY)**

102 BAKER STREET, Lot 018 in Assessor's Block 1219 in a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to reconstruct a four-story exit stair at the rear of the four-story, two-unit building and add a new 9-foot deep by 10-foot wide deck at the rear of the fourth story. The proposed addition would be within the existing footprint of the non-complying rear stair, and provide a 5-foot setback at the south property line. The project additionally proposes to legalize a dwelling unit at the fourth story and add a 3-car garage at the ground story.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 24.25'. The proposed project provides a rear yard of approximately 13', and therefore requires a variance from the rear yard requirements of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-002069VAR.pdf>.

5. 2015-001849VAR (ALEXANDRA KIRBY)

2941 BRODERICK STREET, Lot 002 in Assessor's Block 0942 in a RH-2 (Residential - House, Two Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct a two-story horizontal addition with a roof deck above at the rear of the four-story, two-unit building. The proposed addition would be within the existing footprint of the non-complying rear deck, and provide a 5-foot setback at the north property line and no side setback at the south property line. An 18-foot tall fire wall is proposed at the south property line.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 35'. The proposed project provides a rear yard of approximately 14'-2"; therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-001849VAR.pdf>.

6. 2014-002944VAR (ESMERALDA JARDINES)

2246 - 19TH STREET, Lot 035 in Assessor's Block 4028 in a RH-2 (Residential-House, Two-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal includes a new deck and stairway at the roof level of an existing two-family dwelling on 19th Street (the stairs would be located above the existing single-family dwelling that fronts San Bruno Avenue). The proposed deck would include solid railings as required by the Building Code.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 33 feet and 9 inches. The subject property does not currently provide a rear yard due to full lot coverage. The proposed roof deck and stairway extend to within approximately 18 feet of the rear property line; therefore, a rear yard variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-002944VAR.pdf>.

7. 2015-005658VAR (ESMERALDA JARDINES)

1448 VALENCIA STREET, Lot 009 in Assessor's Block 6531 in a NCT (VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT) Zoning District and a 55-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to build a new third floor with front and rear decks atop of the existing two-story over basement, two-unit building.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 22 feet and 9 inches. The existing building currently extends the full lot depth. The proposed third floor extends 7 feet and 6 inches into the rear yard and the proposed deck extends to the rear property line; therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-005658VAR.pdf>.

8. 2015-003006VAR (KIMBERLY DURANDET)

158 BOCANA STREET, Lot 016 in Assessor's Block 5620 in a RH-1 (Residential House, Single Family) Zoning District, Bernal Heights Special Use District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposed project includes a kitchen remodel and infill of approximately 32.5 square feet at the rear of the property (adjacent to the northern side property line) which extends approximately 3.5 feet into the required rear yard. A new exit, landing and stairs will also be added from the kitchen to an existing deck which

extends approximately 5 feet into the required rear yard.

PER PLANNING CODE SECTION 134 a rear yard of 19.25 feet for the subject property. The proposal will encroach up to 8.5 feet into the required rear yard; therefore, a variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-003006VAR.pdf>.

9. **2014-001524VAR** (LAURA AJELLO)
2200 LYON STREET, Lot 013 in Assessor's Block 0975 in a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct a 498 square foot deck and stair penthouse on the roof of the three-story-over-basement, single-family house, which occupies the entire subject lot.

SECTION 134 OF THE PLANNING CODE requires the subject property to provide a rear yard of 15 feet. As the stair penthouse and a portion of the roof deck are within the rear 15 feet of the property, a variance from the rear yard requirement is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-001524VAR.pdf>.

10. **2015-002252VAR** (NICHOLAS FOSTER)
1400 MONTGOMERY STREET, Lot 055 in Assessor's Block 0085 in a RH-3 (Residential-House, Three Family) Zoning District and a 40-X Height and Bulk District.

PERMITTED OBSTRUCTION VARIANCE SOUGHT: The project proposes to convert an existing balcony located on the northeast corner of the third floor of the subject property into a bay window. The enclosure of the existing balcony would add approximately 63 square feet to the building envelope.

SECTION 136 OF THE PLANNING CODE permits certain obstructions over streets and alleys, including bay windows with a maximum length of nine feet along a line parallel to and at a distance of three feet from the line establishing the required open area. The project would enclose an existing balcony, creating a bay window of approximately 10 feet and 4 and one-half inches in length, which, exceeds the dimensions permitted under Code by approximately 1 foot and 4 and one-half inches; therefore the project requires a variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-002252VAR.pdf>.

11. **2014-000946VAR** **(NICHOLAS FOSTER)**
653 BAY STREET, Lot 018 in Assessor's Block 0044 in a RH-3 (Residential-House, Three Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes a vertical addition and new rear stairs for the existing 3-story over basement, 8-unit apartment building.

SECTION 134 OF THE PLANNING CODE requires a minimum rear yard of 15 feet, 8 inches for the subject property. The existing structure encroaches into the required rear yard by 7 feet, 5 inches, which makes that portion of the structure noncomplying. The project proposes a vertical addition to the existing, noncomplying structure and new stairs within the required rear yard; therefore the project requires a rear yard variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-000946VAR.pdf>.

12. **2014-0922V** **(TODD KENNEDY)**
2 BYRON COURT, Lot 090 in Assessor's Block 6489 in a RH-1 (Residential House - One Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to construct a new single-family dwelling on a vacant lot.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 15 feet from the north rear property line. The proposed dwelling unit will extend to the rear property line and provide a setback of approximately 19-feet from the east side property line; therefore, a variance is required from the rear yard requirement.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2014-0922V.pdf>.

13. 2015-003228VAR

(TODD KENNEDY)

879 SANCHEZ STREET, Lot 072 in Assessor's Block 3620 in a RH-1 (Residential-House, One Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The project proposes reconstruction of an existing sunroom (within the same footprint) and deck and construction of a new stair and fence within the required rear yard.

PER SECTION 241 OF THE PLANNING CODE, a rear yard of 25' is required. The existing building encroaches approximately 7' into the required rear yard and the reconstructed sunroom will encroach and additional 4'-7" into the required rear yard. The proposed deck will extend to within 4' of the rear property line and will be approximately 8'-2" at its highest point above grade. The proposed stairway will extend to the rear property line. The proposed fence will be approximately 14' 4" in height where a maximum of 10' is permitted. Therefore, the project requires a rear yard variance.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-003228VAR.pdf>.

14. 2015-001304VAR

(TODD KENNEDY)

59-61 DOUGLASS STREET, Lot 038 in Assessor's Block 2623 in a RH-2 (Residential-House, Two-Family) Zoning District and a 40-X Height and Bulk District.

REAR YARD AND EXPOSURE VARIANCES SOUGHT: The proposal is to remove an existing two-level deck in its entirety at the rear of the existing two-unit dwelling and replace it with a larger two-level deck.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain an interior yard of 25% of the total depth of lot or 37 feet between the existing two residential buildings onsite. The proposed deck would result in a 15-foot separation between the two buildings; therefore, a Variance is required.

PER SECTION 140 OF THE PLANNING CODE, each dwelling unit is to face onto a Code-complying rear yard or other space that meets the requirements of the Code. The proposed deck would reduce the separation between the two buildings and decrease compliance with the exposure requirement for the rear building; therefore, a Variance is required.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-001304VAR.pdf>.

15. 2015-001587VAR (VERONICA FLORES)

34 BALTIMORE WAY, Lot 007 in Assessor's Block 6438 in a RH-1(D) (Residential-House, One Family-Detached) Zoning District and a 40-X Height and Bulk District.

REAR YARD VARIANCE SOUGHT: The proposal is to legalize an existing rear deck and stairs within the required rear yard. The scope of work also includes upgrading the structure of the deck and stairs.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 25% of the lot depth (or 25 feet). The subject deck and stairs encroach approximately 7 feet into the required rear yard; therefore, the project requires a variance from the rear yard requirement of the Planning Code.

ARCHITECTURAL PLANS: The site plan and elevations of the proposed project are available on the Planning Department's website at: <http://sf-planning.org/ftp/files/notice/2015-001587VAR.pdf>.

C. PUBLIC COMMENT

At this time, members of the public may address the Zoning Administrator on items of interest to the public that are within the subject matter jurisdiction of the Zoning Administrator except agenda items. With respect to agenda items, your opportunity to address the Zoning Administrator will be afforded when the item is reached in the meeting. Each member of the public may address the Zoning Administrator for up to three minutes.

The Zoning Administrator will not take action on any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the Zoning Administrator may:

- (1) respond to statements made or questions posed by members of the public; or
- (2) request staff to report back on a matter at a subsequent meeting; or
- (3) direct staff to place the item on a future agenda. (Government Code Section 54954.2(a))

ADJOURNMENT

Hearing Procedures

The **Zoning Administrator** typically holds Variance Hearings on the **4th Wednesday of each month at 9:30 a.m.**, at the **San Francisco City Hall, Room 408**. City Hall is located at One Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Hearings are open to the public.

At the hearing, the **Project Sponsor** (Variance Applicant) will be given 5 minutes to present their case, including relevant testimony and evidence. The hearing room is equipped with a projector that can display photographs, architectural plans or other drawings and images. **Members of the public** will be given 3 minutes each to speak on the item. If a member of the public speaks against an item, the Project Sponsor will be given a 3 minute **rebuttal**.

Persons attending a hearing may comment on any scheduled item. When speaking, please note that a **timer** is displayed for each speaker and indicates how much time remains. Speakers will hear a loud sound indicating that the speaker's opportunity to address the Zoning Administrator has ended.

Please note that some items may appear on the **Consent Calendar**. These items are considered routine and may be granted by the Zoning Administrator. There is no separate discussion of consent items unless the Zoning Administrator, member of the public or staff so requests, in which event the matter is removed from the Consent Calendar and will be moved to the Regular Calendar in the Agenda.

In addition, the Zoning Administrator may consider a request for **continuance** to a later date. He may choose to continue the item to the date proposed, to continue the item to another date, or to hear the item on this calendar.

After all of the testimonies are submitted, the Zoning Administrator will consider the evidence, deliberate, and either make a decision, take the matter under advisement, or continue the matter in order for additional information to be presented.

Each hearing ends with **general public comment**, at which time members of the public may address the Zoning Administrator for up to 3 minutes on items of interest to the public that are within the subject matter jurisdiction of the Zoning Administrator, except agenda items. With respect to Agenda items, your opportunity to address the Zoning Administrator will be afforded when the item is reached during the meeting.

All Agenda of Variance Hearings and its Audio Recording (from June 2010 to present) are available on our website for access.

Sound-Producing Devices Prohibited

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

Decision Letter and Appeal Process

No decision is final until a **Variance Decision Letter** is issued. Due to current backlogs, decision letters may take **up to 2 months** to complete from the date of the hearing. The Zoning Administrator's action to grant or deny a variance application may be appealed to the Board of Appeals within **10 days** of the date of the Decision Letter. For more information on how to file an appeal, please contact the **Board of Appeals** in person at 1650 Mission Street, Suite 304, call **(415) 575-6880**, or visit the [San Francisco](#)

[Board of Appeals](#) website.

Protest of Fee or Exaction

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

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

Challenges

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

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

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