# 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, September 23, 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 <u>http://www.sfplanning.org</u>

## 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. 2015-004792VAR

## (CARLY GROB)

**<u>1036 POLK STREET</u>**, 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: <u>http://sf-planning.org/ftp/files/notice/2015-004792VAR.pdf</u>.

2. 2015-005114VAR (JEFFREY HORN) <u>3938 17TH STREET</u>, Lot 015B in Assessor's Block 3563 in an RH-3 (Residential-House, Three Family) Zoning District and a 40-X Height and Bulk District.

**EXPOSURE VARIANCE SOUGHT**: The project proposes an addition beneath an existing legal noncomplying structure at the ground level to allow for an additional dwelling unit. The proposed work would not change the existing building footprint, which was previously allowed to expand per Case No. 2011.0274V.

PER SECTION 140 OF THE PLANNING CODE, one room of each dwelling unit must look out onto the street, onto a Code-complying rear yard, a side yard at least 25 feet in width or onto a courtyard generally of minimum dimensions of at least 25 feet in each direction. The proposed unit on the ground floor will face a noncompliant 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: <u>http://sf-planning.org/ftp/files/notice/2015-005114VAR.pdf</u>.

## 3. 2014.1346VAR

## (LILY YEGAZU)

**<u>146 WAVERLY PLACE</u>**, Lot 040 in Assessor's Block 0210 in a CRNC (Chinatown-Residential-Neighborhood Commercial) Zoning District and a 50-N Height and Bulk District.

**EXPOSURE VARIANCE SOUGHT:** The proposal is to convert the second and third floors of the existing three-story building from non-residential into eight studio residential units. The existing ground floor restaurant use would remain. The proposal would also include the construction of a new roof deck and a new stairway and stairway penthouse on the roof.

SECTION 140 OF THE PLANNING CODE requires each dwelling unit to face directly onto a qualifying street or a Code-complying rear yard. The subject structure does not feature a Code-complying rear yard and the four of the eight new units do not face directly onto a qualifying street; therefore, the proposal requires a variance from exposure requirements.

**ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2014.1346VAR.pdf</u>.

## B. REGULAR CALENDAR

## 4. 2014.1487V

## (ANDREW PERRY)

**<u>410 HEARST AVENUE</u>**, Lot 006A in Assessor's Block 3116 in an RH-1 (Residential House, One-Family) Zoning District and a 40-X Height and Bulk District.

**LOT SIZE AND FRONT SETBACK VARIANCE SOUGHT:** The project proposes to construct a new two-story over garage, single-family dwelling, on a substandard lot, which was never legally subdivided from its parent lots.

PURSUANT TO SECTION 121 OF THE PLANNING CODE, the subject property is required to maintain a minimum lot area of 1,750 square feet. The proposed lot measures 25 feet wide by 50 feet deep, with an area of only 1,250 square feet; therefore, a variance is required to make this a legal lot of record.

PURSUANT TO SECTION 132 OF THE PLANNING CODE, the subject property is required to maintain a front setback of 4'-4", based on the proposed development on the adjacent lot at 412 Hearst. The project proposes a 0'-0" front setback; therefore a variance is required. Along this street, there is approximately 12' of public right-of-way between the front property lines and sidewalk. The proposed building would not encroach in this area, except for sidewalk landscaping under a DPW permit.

**ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2014.1487V.pdf</u>.

## 5. 2015-001505VAR

## (JONATHAN DISALVO)

<u>**1701-1703 MCKINNON AVENUE**</u>, Lot 001 in Assessor's Block 5305 in a RH-2 (Residential-House, Two Family) Zoning District and a 40-X Height and Bulk District.

**LOT SIZE VARIANCE SOUGHT:** The proposal is to split the existing lot into two separate lots. One lot would contain the existing two-story, single-family building and one lot would contain a proposed three-story, single-family building that has been approved for construction.

PURSUANT TO SECTION 121 OF THE PLANNING CODE, the subject property is required to maintain a minimum lot width of 25 feet and a minimum lot area of 1,750 square feet. One of the proposed lots would measure 16 feet wide by 74 feet deep, with an area of only 1,184 square feet; therefore a variance is required to subdivide the lots as proposed. **ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2015-001505VAR.pdf</u>.

## 6. 2015-001620VAR

#### (KIMBERLY DURANDET)

<u>615 MINNA STREET</u>, Lot 085 in Assessor's Block 3727, in the RED Zoning District and 40-X Height and Bulk District.

**USABLE OPEN SPACE VARIANCE SOUGHT:** The project proposes to convert a 4-unit and 4-guest-room building to a six unit building. The existing guest rooms on the basement level will be converted to two dwelling units.

PLANNING CODE SECTION 135 requires a minimum of 479 square feet of common open space for the subject project. The project only provides usable open space of 218 square feet at the ground level; 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: <u>http://sf-planning.org/ftp/files/notice/2015-001620VAR.pdf</u>.

## 7. 2013.0164VAR

## (LILY YEGAZU)

**<u>25 ALTA STREET</u>**, Lot 021 in Assessor's Block 0106 in a RH-3 (Residential-House, Three Family) Zoning District and a 40-X Height and Bulk District.

**REAR YARD AND EXPOSURE VARIANCES SOUGHT:** The proposal is the restoration of the historic building including the demolition of a detached non-contributing rear structure and construction of a two-story horizontal addition at the rear of the building including a new roof deck.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 15 feet. The proposed horizontal addition would encroach up to 8 feet into the required rear yard; therefore, the project requires a variance from the rear yard requirement of the Planning Code.

SECTION 140 OF THE PLANNING CODE requires each dwelling unit to face directly onto a qualifying street, a Code-complying rear yard or open area of adequate size. The subject property does not feature a Code-complying rear yard and the lower unit would not face directly onto a qualifying street; therefore, the proposal requires a variance.

**ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2013.0164VAR.pdf</u>.

## VARIANCE CALENDAR

8. 2013.0491V

(LILY YEGAZU)

**<u>1335 LARKIN STREET</u>**, Lot 003 in Assessor's Block 0645 in an NCD (Polk Street Neighborhood Commercial) Zoning District and a 65-A Height and Bulk District.

## **REAR YARD MODIFICATION AND EXPOSURE VARIANCES**

**SOUGHT:** The proposed project is for a vertical addition of 5-stories containing a total of 20 residential units over the existing one-story-plusmezzanine garage structure to a maximum height of 65-feet (6-stories). The ground floor of the existing building will provide space for 17 vehicles and 20 bicycles for the residential units, as well as residential lobby and utility rooms. The new vertical addition will be setback at the 3rd, 4th and 5th floors approximately 43-feet (40-feet to the face of the balconies) from the front property line with the 6th floor further setback to approximately 47.5-feet. All new floors 2nd through 6th will also be setback approximately 17-feet from the rear property line.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 34.4 feet. The proposed vertical addition would encroach approximately 17 feet into the required rear yard; therefore, the project requires a modification from the rear yard requirement of the Planning Code.

SECTION 140 OF THE PLANNING CODE requires each dwelling unit to face directly onto a qualifying street, a Code-complying rear yard or open area of adequate size. The subject property does not feature a Code-complying rear yard and the ten of the 20 new units do not face directly onto a qualifying street; therefore, the proposal requires a variance.

**ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2013.0491V.pdf</u>.

## 9. 2013.0761V

## (MARCELLE BOUDREAUX)

<u>**3902 - 24TH STREET**</u>, Lot 040 in Assessor's Block 3654 in a 24TH-NOE(24Th Street- Noe Valley Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

**REAR YARD MODIFICATION VARIANCE SOUGHT:** The subject property contains two buildings: one mixed-use building (3900 24th Street) and one commercial building (3902 24th Street). The proposal seeks to demolish the one-story commercial structure (3902) and construct a four-story mixed-use building with three dwelling units, a ground floor commercial space and a below-grade basement.

PLANNING CODE SECTION 134 requires a rear yard depth of 22.2 feet for the subject property. The proposed new construction provides a 5 foot 2 inch rear yard, and requires a rear yard modification. **ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2013.0761V.pdf</u>.

## 10. 2014.1263VAR

## (NATALIA KWIATKOWSKA)

**<u>1401 MONTEREY BOULEVARD</u>**, Lot 001 in Assessor's Block 3263 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 construct a twostory horizontal addition and second story deck to an existing singlefamily residence. The existing residence currently encroaches 5 feet into the required rear setback. The project also includes an expansion of the existing garage door opening at the rear and minor façade alterations.

PER SECTION 134 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 20'-0". The proposed project will encroach 5 feet into the required rear setback providing a rear yard of approximately 15'-0"; 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: <u>http://sf-planning.org/ftp/files/notice/2014.1263VAR.pdf</u>.

## 11. 2015-004111VAR

#### (SHAUNN MENDRIN)

**561 BANKS STREET**, Lot 020 in Assessor's Block 5728 in a RH-1 (One-Family Detached Dwellings) Zoning District and a 40-X Height and Bulk District.

**REAR YARD VARIANCE SOUGHT:** The proposal is to reconstruct the existing non-permitted rear bedroom and deck in a similar configuration. A hot tub will is also proposed under the reconfigured rear bedroom.

PER SECTION 242(e)2 OF THE PLANNING CODE the subject property is required to maintain a rear yard of approximately 22 feet 2 inches (35% lot depth minus front yard off-set) at the rear of the single-family dwelling. The proposed bedroom would encroach approximately 7½ feet into the required rear yard and the reconstructed stairs for the rear deck adjacent to the bedroom would encroach a total of 9 feet for a 3 foot width near the south property line leaving a rear yard of 15 feet. The project requires a Variance from the rear yard requirement (Section 242(e)(2)) of the Planning Code.

**ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2015-004111VAR.pdf</u>.

## 12. 2014-002435VAR (TODD KENNEDY) <u>95 SAINT GERMAIN AVENUE</u>, Lot 050 in Assessor's Block 2721 in an RH-1D (Residential Single Family - Detached) Zoning District and a 40-X Height and Bulk District.

**FRONT SETBACK VARIANCE SOUGHT:** The project proposes an expansion of the existing garage, first and second stories within the required front setback. The expansion will increase the habitable area on the first and second stories; add a new elevator and parking lift.

SECTION 132 OF THE PLANNING CODE requires a front setback of 15 feet for the subject property. The existing garage is already noncomplying because it encroaches into the front setback. The first and second stories currently comply with the setback requirement. The proposal will increase the height of the garage (to approximately 17') and reduce the setback at the first and second stories (from 15'-6" to 10'-10" with balcony of 3'); 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: <u>http://sf-planning.org/ftp/files/notice/2014-002435VAR.pdf</u>.

## 13. 2014-1326V

## (TODD KENNEDY)

**1642 GREAT HIGHWAY**, Lot 034 in Assessor's Block 1895 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 legalize an existing detached building located within the required rear yard as accessory habitable space for the existing two-unit building at the front of the lot.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to maintain a rear yard of 45% of the total depth of lot or 54 feet. The building proposed for legalization is located entirely within 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: <u>http://sf-planning.org/ftp/files/notice/2014-1326V.pdf</u>.

## 14. 2015-001882VAR

AR (VERONICA FLORES) <u>1465 - 14TH AVENUE</u>, Lot 003A in Assessor's Block 1839 in a RH-2 Zoning (Residential-House, Two Family) Zoning District and a 40-X Height and Bulk District.

**REAR YARD VARIANCE SOUGHT:** The project seeks to reconstruct the existing rear deck and stairs to conform with current Building Code requirements.

PER SECTION 134 OF THE PLANNING CODE, the subject property is required to have a rear yard of 57'-4.5". The variance is requested to allow reconstruction of the existing stair and second floor deck (in same location), which are located entirely within the required rear yard.

**ARCHITECTURAL PLANS:** The site plan and elevations of the proposed project are available on the Planning Department's website at: <u>http://sf-planning.org/ftp/files/notice/2015-001882VAR.pdf</u>.

## 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

## VARIANCE CALENDAR

#### Hearing Procedures

The **Zoning Administrator** typically holds Variance Hearings on the **4**<sup>th</sup> **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, <u>except agenda items</u>. 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 <u>San Francisco</u>

## VARIANCE CALENDAR

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 <a href="http://www.sf-planning.org/index.aspx?page=3447">http://www.sf-planning.org/index.aspx?page=3447</a>. 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.