

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, October 17, 2013
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12: 25 PM.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Sharon Lai, Omar Masry, Michael E. Smith, and Jonas P. Ionin – Commission Secretary.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2013.0361C (S. LAI: (415) 575-9087)
1409 SUTTER STREET - south side between Gough and Franklin Streets; Lot 025-028 in Assessor's Block 0689 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 712.55 and 790.46, to establish a new 10-room tourist hotel (d.b.a. Leader House) at the third and fourth floor within an existing four-story commercial building where the last known legal use was a private club. A new principally permitted restaurant will occupy the ground and second floor. The project site is located within a NC-3 (Neighborhood Commercial, Moderate-Scale) Zoning District, and 130-E Height and Bulk

District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions
(Proposed for Continuance to November 7, 2013)

SPEAKERS: None
ACTION: Continued to November 7, 2013
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya

2. 2011.0499C (O. MASRY: (415) 575-9116)
2395 26th AVENUE - at the northwest corner of Taraval Street and 26th Avenue, Lot 008A in Assessor's Block 2355 - **Request for Conditional Use Authorization** under Planning Code Sections 741.83 and 303 for a macro wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would consist of six panel antennas housed within faux roof-mounted vent pipes. Related electronic equipment would be placed on the rooftop, and within an existing parking garage. The facility is proposed on a Location Preference 6 Site (Limited Preference) within the Taraval Street Neighborhood Commercial Zoning District, Taraval Street Restaurant Sub district, and 65-A Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
Preliminary Recommendation: Approve with Conditions
(Proposed for Continuance to November 14, 2013)

SPEAKERS: - David Wilner – defective notice
ACTION: Continued to November 14, 2013
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

3. [2011.0123E](#) (S. SMITH: (415) 558-6373)
PENINSULA PIPELINES SEISMIC UPGRADE PROJECT - **Certification of the Final Environmental Impact Report** - The San Francisco Public Utilities Commission (SFPUC) is proposing the Peninsula Pipelines Seismic Upgrade (PPSU) project. The project would improve the seismic reliability of SFPUC's potable water transmission pipelines through replacement and stabilization of segments of the San Andreas Pipeline No. 2, San Andreas Pipeline No. 3, and Sunset Supply Branch Pipeline. The project would be located on the San Francisco Peninsula at five separate sites in San Mateo County, Colma, South San Francisco, San Bruno, and Millbrae.
Preliminary Recommendation: Certify the Environmental Impact Report

SPEAKERS: None
ACTION: Certified the EIR
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya
MOTION: 19004

4. [2013.0984C](#) (O. MASRY: (415) 575-9116)
1635 DIVISADERO STREET - at the northwest corner of Divisadero and Post Streets, Lot 034 in Assessor's Block 1076 - **Request for Conditional Use Authorization** under Planning Code Sections 712.83 and 303 for a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would consist of (16) panel antennas mounted to the walls of an existing rooftop penthouse, and related electronic equipment on the roof. The facility is proposed on a Location Preference 4 Site (Commercial Structure, Medical Office Building) within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning, and 65-A Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19005

5. [2012.1515C](#) (O. MASRY: (415) 575-9116)
888 BRANNAN STREET - along the west side of Brannan Street between 7th and 8th streets, Lot 006, in Assessor's Block 3780 - **Request for Conditional Use Authorization** under Planning Code Sections 303 and 843.93, for a wireless telecommunications services (WTS) facility operated by T-Mobile. The proposal would involve the removal of an existing WTS facility, with a single panel antenna, and construction of a macro WTS facility, which would consist of six panel antennas and related electronic equipment. Antennas would be mounted to the walls of existing rooftop structures at three locations. Antennas would be flush mounted and painted to match the building. Electronic equipment would be roof mounted and screened from view. The facility is proposed at a Location Preference 2 Site (Colocation Site) within an Urban Mixed-Use Zoning, and 68-X Height and Bulk districts. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya
 MOTION: 19006

C. COMMISSION MATTERS

6. Consideration of Adoption:
 • [Draft Minutes for October 3, 2013](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore, Sugaya

Adoption of Commission Minutes – Charter Section 4.104 requires all commissioners to vote yes or no on all matters unless that commissioner is excused by a vote of the

Commission. Commissioners may not be automatically excluded from a vote on the minutes because they did not attend the meeting.

7. Commission Comments/Questions

- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Antonini:

I just want to mention a couple of articles that appeared in the press. Both were penned by C.W.Nevius in the last week. One was in today's Chronicle and very insightful and deal with issues that are before us, all the time. The first of which, was a couple days ago and he was supportive of Supervisor Wiener's move to try to close our parks for a period of time each night, as a prevention from some of the vandalism that is occurring there. He made some very good points and he also pointed out in terms of some of the opposition there, apparently there is already civil code that prohibits sleeping overnight in public parks, but that's not always being enforced. What this would do is give our law enforcement officials another tool to be able to recognize possible vandals. It's really heartbreaking to see things like the playground at Dolores Park that was just finished. The xylophone was ripped out by vandals in the middle of the night and a lot of other things that occur. Certainly, interesting article and brings up some really good points, the second article occurred today, and actually mentions some comments by the head of SPUR, Gabe Metcalf, Executive Director and also quotes Director John Rahaim -- in a very good article about supportive of building housing in San Francisco and how it's sort of counter intuitive. Opponents don't want to see new housing particularly market rate housing when there is a wild bidding war for rentals and purchases. This demand is not going to go away and in fact, it is only going to be worse by blocking appropriate new projects. I think that was a really well written article and some good comments in there. I just wanted to point those out to the public, because I think they raise issues that we deal with every week in planning and well scripted.

Commissioner Fong:

I wanted to make an announcement and again offer my congratulations to this Commission's congratulations to Jonas Ionin as this Commission earlier accepted the Subcommittee's recommendation to offer a permanent position as the Commission Secretary. I want to also note very quickly the directive from that discussion was that myself and the Historic Preservation President Commission, President Haas and I worked together to formulate an evaluation process form, if you will, and work with fellow Commissioners to work together in the interim evaluation, as well as a yearend evaluation. Again, congratulations to you.

Jonas Ionin, Commission Secretary:

Thank you Commission President.

Commissioner Moore:

Congratulations Mr. Ionin, I look forward to working together.

Jonas Ionin, Commission Secretary:

Thank you, appreciate it.

Commissioner Antonini:

I just wanted to mention among the thanks in the process to former Secretary Linda Avery who helped us through this process as well as a number of other people and particularly coming back to act in this capacity was very valuable.

Jonas, Ionin, Commission Secretary:

Thank you Commissioners, as a native San Franciscan it's an honor to and a privilege to work in this building, to assist you in your endeavors as well as the Historic Preservation Commission. So, thank you for that honor.

D. DEPARTMENT MATTERS

8. Director's Announcements

Director Rahaim:

Well, I will have to add my congratulations on behalf of the Department. Congratulations, Jonas – staff has really enjoyed working with you and I am sure will continue, so I appreciated it very much. Just a couple of announcements Commissioners, one is on the Director's - - the written Director's report I just want to call to your attention to a new digital subscription service, that we have been able to put on our web page, where you can actually sign up to subscribe to notifications via email or text on projects and various activities of the Department and it's actually on the front page of the home page, which is sfplanning.org. We actually discovered a new company that we were able to easily employ this new service on our web page. Secondly, I just wanted to - - I just returned from meetings that I have every year with my counterparts from the 30 other largest U.S. Cities in the Country which happens every year in Cambridge. The issue of affordable housing, particularly middle class housing, was on everybody's mind at this meeting. Particularly the larger cities where they are seeing a similar construction boom as San Francisco is, right now. Which tends to be not be all large cities but a handful including Seattle, Boston, Washington and Miami where this type of large development boom is happening right now and it's being driven a lot by the technology industry, but also a new trend as I think I mentioned in the article today of the millennial generation, if I can call it that, referring to living in cities and especially preferring not to own a car, which is a very interesting phenomenon. For those of us in my generation owning a car was the great American dream and for this generation not only is it not a dream and don't want one and in fact many of them don't even get a drivers licenses. It's an interesting trend happening in key cities across the Country and of course that demand is driving some of the housing construction we are seeing and I would suggest the housing prices that we are seeing. I have asked staff in the Department, staff in the Controller's Office and the Mayor's Office of Housing for help in constructing a little bit more understanding of what is driving the housing market so that we can become a little smarter about what is driving prices, about the supply and demand issue and about what we can do as a Department with our limited tool kit admittedly, to help bring more affordable housing or middle class housing into the City. So, I'd like – I'd love to talk to you all as we move forward but, think it's an issue that's becoming much more pronounced in the City, right now. I just wanted to let you know it's something that is happening in many cities across the Country, it's not just San Francisco that's experiencing this issue now. That concludes my presentation unless you have any questions.

9. Review of Past Week's Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

BOARD OF SUPERVISORS:

No Report

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISSION:

Good afternoon Commissioners, Tim Frye, Department staff. I'm here to share with you yesterday's events from the Historic Preservation Commission hearing. Before that I also wanted to mention last week the Department hosted its kickoff community meeting for the African American History Project. It hosted by the African American Arts and Cultural Center. We had just about 50 people in attendance and we are partnering up, not only with an outside consultant, we have a peer review committee made up of experts in the field of African American History that are contributing, as well as a story core, which is an oral history project, is providing its services to document oral histories as part of the oral history component. It was a very interesting meeting, aside from the large turnout, there was a lot of interest in the project. There were still some concerns about the public outreach strategy, community outreach strategy for the project. There was some concern over the level of community involvement and participation in the project, among other things. I just wanted to let you know that you may hear about that meeting and you may hear about subsequent meetings and we'll keep you posted. The Department heard the concerns and there is no rush to get this project completed and we certainly want to do it right, so we are going to work hard to address the public's concerns and make sure that we can build the trust we need to have a successful Historic Context Statement. Commissioner Borden was also present at the meeting. It was much appreciated, as well as Commissioner Ellen Johnck from the Historic Preservation Commission. We'll keep you posted on future events. We look forward to working with the community and resolving some of these outstanding issues. With that, just a few items from yesterday's hearing, the SPUR Heritage Task Force presented their report they published in July, on the City's Historic Preservation Program and related processes. There is a large section of their report that is devoted to CEQA review, for historic resources. The group ran through their recommendations that are outlined in the report and the Commission was very interested in continuing the discussion prioritizing some of those recommendations and having the Department come back to the HPC and talk about ways we can fulfill or meet some of those goals over the next year or number of years depending on what long-term goals are identified. The SPUR Heritage Task Force also acknowledged that the Department has implemented a number of changes that reflect some of their recommendations. Like I said, in the future we are going to report back and let the Commission know, one, what we've already accomplished and two, what we can accomplish in the near future with their assistance. Three Mills Act applications were approved unanimously and forwarded to the Board of Supervisors. As you know, these are the first Mills Act applications to move forward since Supervisor Wiener initiated amendments to the program to allow for -- easier access to the program. We are hoping to get those in front of the Board by the end of the year. The Commission also reviewed two Certificates of Appropriateness, one for a contributor to the Alamo Square Landmark District, the C of A was for work that occurred without a permit, the HPC was very concerned about the quality of the work and the level of details on the plans so they continued the item to November 20, to allow the Project Sponsor to prepare more thorough documentation about what has been completed at the site to date. The Commission unanimously approved a Certificate of Appropriateness for Julius' Castle at 302 Greenwich. The current owner inherited a number of outstanding violations at the site and is attempting to rectify those violations and will also be before this Commission asking for conditional use authorization to operate that site as a restaurant, again, in the near future. We'll let you know when that item comes before you. I believe that's it, unless, you have any questions.

E. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. However, for items where public comment is closed this is your opportunity to address the Commission. With respect to all other agenda items, your opportunity to address the Commission will be

afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Linda Chapman – 1601 Larkin

F. REGULAR CALENDAR

10. [2011.0544C](#) (O. MASRY: (415) 575-9116)
1700 UNION STREET - at the northwest corner of Union and Gough Street, Lot 002A in Assessor's Block 0529 - **Request for Conditional Use Authorization** under Planning Code Sections 725.83 and 303 for a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would consist of three panel antennas and related electronic equipment. Two antennas would be façade mounted and screened with a fiberglass panel painted to match the building. The third antenna would be housed in a faux roof vent. Electronic equipment would be roof mounted and screened from view. The facility is proposed at a Location Preference 6 Site (Individual Neighborhood Commercial District) within the Union Street Neighborhood Commercial Zoning, and 40-X Height and Bulk Districts. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve with Conditions
 (Continued from Regular Meeting of October 3, 2013)

NOTE: On September 19, 2013, following public hearing and closing public comment, the Commission indicated their concern regarding the proposed design and continued the matter to October 3, 2013, by a vote (+7 -0).

SPEAKERS: + Ted Vriheas, AT&T – Project re-design
 - Candace McKenzie – Hawthorne Store Building, process
 - Sky Zember – Request to deny the CU, not in alignment to the historic nature of the building or the neighborhood
 - Debra Sivilich – Violates WTS guidelines. Review the proposed design
 = Larry Murray, Union Street Association – Architectural integrity of Union Street
 - (M) Speaker – View corridor, historic building, neighborhood, bad choice

ACTION: After adopting a Motion of Intent to Disapprove by a vote of +4 -3 (Borden, Sugaya, Fong against); Continued to November 7, 2013

AYES: Fong, Wu, Antonini, Hillis, Moore

NAYES: Borden, Sugaya

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

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

ADJOURNMENT – 1:57 P.M.

Hearing Procedures

The Planning Commission holds public hearings regularly, on most Thursdays. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: www.sfplanning.org.

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

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

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

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. Presentation by Staff;
2. Presentation by the Project Sponsor's Team (which includes: the sponsor, representative, legal counsel, architect, engineer, expeditor and/or any other advisor) for a period not to exceed fifteen (15) minutes, at the discretion of the Chair;
3. Public testimony from supporters of the Project not to exceed three (3) minutes, at the discretion of the Chair;
4. Presentation by Organized Opposition recognized by the Commission President through written request prior to the hearing for a period not to exceed fifteen (15) minutes, at the discretion of the Chair;
5. Public testimony from opponents of the Project not to exceed three (3) minutes, at the discretion of the Chair;
6. Staff follow-up and/or conclusions;
7. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
8. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. Presentation by Staff;
2. Presentation by the DR Requestor(s), not to exceed five (5) minutes per Requestor, at the discretion of the Chair;
3. Public testimony from opponents of the Project not to exceed three (3) minutes, at the discretion of the Chair;
4. Presentation by the Project Sponsor for a period of five (5) minutes not to exceed fifteen (15) minutes, whenever there are multiple DR requests, at the discretion of the Chair;
5. Public testimony from supporters of the Project not to exceed three (3) minutes, at the discretion of the Chair;
6. Rebuttal by the DR Requestor(s), not to exceed two (2) minutes per Requestor, at the discretion of the Chair;
7. Rebuttal by the Project Sponsor, not to exceed two (2) minutes, at the discretion of the Chair;
8. Staff follow-up and/or conclusions;
9. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
10. A motion to Not Take DR and approve the Project as proposed; or to Take DR and approve the Project with conditions, with amendments and/or modifications; or to Take DR and disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

Hearing Materials

Materials submitted to the Planning Commission prior to a scheduled hearing will become part of the public record only when the materials are also provided to the Commission Secretary and/or Project Planner. Correspondence may be emailed directly to the Commission Secretary at: commissions.secretary@sfgov.org.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department reception eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 1650 Mission Street, Suite 400, by 5:00 p.m. and should include fifteen (15) copies.

Day-of Submissions: Material related to a calendared item may be distributed at the hearing. Please provide ten (10) copies for distribution.

Appeals

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

Case Type	Case Suffix	Appeal Period*	Appeal Body
Office Allocation	B	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	C	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	D	15 calendar days	Board of Appeals
EIR Certification	E	30 calendar days	Board of Supervisors
Coastal Zone Permit	P	15 calendar days	Board of Appeals
Planning Code Amendments by Application	T	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	V	10 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts and Large Project Authorization in Eastern Neighborhoods	X	15 calendar days	Board of Appeals
Zoning Map Change by Application	Z	30 calendar days	Board of Supervisors

* Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission hearing). Appeals of Zoning Administrator decisions on Variances must be made within 10 days from the issuance of the decision letter.

**An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or board.of.supervisors@sfgov.org.

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 Planning Commission, at, or prior to, the public hearing.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code: If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in

addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained 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.