SAN FRANCISCO PLANNING DEPARTMENT

Planning Department Priority Application Processing Guidelines

This Bulletin provides guidelines to ensure that no preferential treatment is given to applications excepting those that have been identified as advancing specific policy goals of the City as described herein.

This Bulletin relates to the assignment and review of all applications, including revisions, addenda and corrections submitted subsequent to initial applications. In general, the various divisions of the Planning Department will process applications of all types in the chronological order received. However, under the guidelines provided herein, some applications may be prioritized in order to advance identified policy goals of the City or to remedy procedural error(s). Officers and employees of the City shall use reasonable judgment in the application of these guidelines, and shall consult with their supervisors when questions arise. These guidelines have been established in accordance with the requirements of San Francisco Campaign and Government Conduct Code Section 3.400 and with the Permit Processing Code of Conduct adopted by the San Francisco Ethics Commission.

This Bulletin was updated in August 2017 to reflect a new addition to the Priority Application Processing Program: (1) Priority processing is now available for market-rate housing projects that provide at least 30% of the total number of units as on-site Below Market Rate (BMR) units on-site. This includes projects applying under the newly adopted HOME-SF program (Planning Code Section 206.3). The suspension of priority processing for green buildings that became effective in June 2016 remains in place. The Department intends to review the this suspension in light of application volume and staffing levels at the start of Fiscal Year 17-18.

PRIORITY TYPOLOGIES, REQUIREMENTS AND CRITERIA:

All applications received by the Planning Department shall be assigned, reviewed, and completed in the order received, except for the following types of Priority Projects:

Type 1: Applications for Affordable Housing Projects

Type 1 Applications are those for projects where 100 percent of the on-site dwelling units are affordable housing (i.e. meeting or exceeding the standards set forth in

Planning Code Section 415 and in the San Francisco Inclusionary Housing Program Monitoring and Procedures Manual adopted by the Planning Commission.

Type 1 Applications shall be made using a standard form provided by the Planning Department that includes written findings prepared by the applicant. The application for priority processing should be filed prior to the submittal of the associated permit and/or entitlement application(s).

Type 1A:
Applications for Market-Rate Housing that Exceeds Affordability Requirements

Type 1A Applications are those for housing projects where at least 30 percent but less than 100 percent of the on-site dwelling units are affordable units. For Type 1A projects, "affordable units" means units that meet or exceed the standards set forth in (1) Planning Code Sections 415 or 206.3 (HOME-SF) and (2) in the San Francisco Inclusionary Housing Program Monitoring and Procedures Manual adopted by the Planning Commission.

Type 1A Applications shall be made using a standard form provided by the Planning Department that includes written findings prepared by the applicant. The application for priority processing should be filed prior to the submittal of the associated permit and/or entitlement application(s).

Type 2: Applications for City Projects

Type 2 Applications are those made by City Departments for (1) physical work on City owned or leased properties or (2) non-physical plans, programs or policies of the City and County of San Francisco. Type 2 Applications may also include projects that are public-private partnerships or projects located on publicly-owned sites.

The Director of Planning shall take into account the capacity of the Priority Application Processing program when considering any Type 2 Application. Specifically, on an as-needed basis but no less than half-yearly, the Director of each City Agency sponsoring a Type 2 Application shall provide the Director of Planning with a rank-ordering of the relative priority of all projects from that Agency that have been filed or will be filed in the near future.

~~**Type 3: Applications for Green Buildings**~~

Priority processing for Green Buildings has been suspended in order to acknowledge that the capacity of the Priority Application Processing Program has been reached.

~~Type 3 Applications are for projects of an exceptionally high standard for "green building" that (1) create at least 7 dwelling units, (2) construct more than 10,000 square feet of non-residential space, or (3) change the use of at least 25,000 square feet. These projects require standardized documentation by qualified professionals and must meet or exceed at least one of the following third party certifications:~~

- LEED Platinum certification using the LEED Building Rating System adopted under the Leadership in Energy and Environmental Design program of the U.S. Green Building Council; or

- GreenPoint Rated with 150 Green Points under the GreenPoint Rated system developed by Build It Green; or

- Living Building Challenge Certification, Petal Recognition or Net Zero Energy Certification from the International Living Future Institute; or

- Certified Passive House Certification or EnerPHIT Certification by the International Passive House Institute or PHIUS+ Certification by the Passive House Institute US; or

- other equivalent "green building" standards that include published verification and quality assurance procedures when approved on a case-by-case base by the Director.

Applications for priority processing as Type 3 Applications should be filed prior to the submittal of the associated permit and/or entitlement application(s). **Before filing, applicants should contact the Green Building Program at the Department of the Environment in order to coordinate an in-person review and discussion of the project and application with the City's "Green Team."** Comprised of technical staff from City agencies with relevant expertise, the Green Team prepares a recommendation to the Planning Director as to the application's compliance with this Bulletin.

Type 3 Applications shall be made using a standard form provided by the Planning Department that includes written findings prepared by the applicant and must be accompanied by:

- documentation that specifies performance criteria and elements of the project required to obtain the required green building certification (e.g. a LEED checklist); and

- a processing fee as required by the Department of the Environment; and

- proof that the project has been registered in the applicable certification program (e.g. LEED project registration); and

- a written commitment to apply for formal, written review of the project at the earliest milestone where the certifying body offers "pre-certification" or similar (e.g. LEED Design Review).

No Type 3 Application shall be accepted into the program without the project sponsor and the City first entering into a formal agreement regarding the specific rating system to be used, major green building features, and a schedule for potential benchmarks and routine consultations between the sponsor and City during the permitting and construction processes.

Type 4: Applications for Projects Consisting Solely of Seismic Retrofit Work

Type 4 Applications are those for work on existing structures performed solely

for the purpose of enhanced seismic safety. Work performed as part of a Type 4 Applications may be undertaken on either a voluntary basis or a mandatory basis (e.g. in response to the City's Mandatory Soft Story Retrofit Ordinance). No Type 4 Application shall be accepted into the program if it involves work beyond that which is essential for seismic strengthening (e.g. building expansions, changes of use, façade improvements).

Applications for priority processing as Type 4 Applications should be filed prior to the submittal of the associated permit and/or entitlement application(s). Type 4 Applications shall be made using a standard form provided by the Planning Department that includes written findings prepared by the applicant.

Type 5: Applications for Certain Medical Projects Subject to the HCSMP

Type 5 Applications are those for medical projects that have been reviewed under the Health Care Services Master Plan (HCSMP) **and** recommended for incentives by the San Francisco Health Commission. Review under the HCSMP is required only for (1) new medical projects of at least 10,000 gross square feet or (2) expansions of existing medical projects by at least 5,000 gross square feet.

Applications for priority processing as Type 5 Applications should be filed prior to the submittal of the associated permit and/or entitlement application(s). Type 5 Applications shall be made using a standard form provided by the Planning Department that includes written findings prepared by the applicant; they must be accompanied by official documentation that the project has been recommended for incentives by the Health Commission.

Type 6: Other Applications

Type 6 Applications are those involving any of the following:

a.   Necessary emergency work to secure the health or safety of building users or the public, either on private property or on the public right-of-way, as determined by the Director.

b.   Work consisting solely of disabled access improvements.

c.   Work consisting solely of maintenance or repair of designated historic buildings and/or sites that are subject to the requirements of Article 10, or defined as Category I or II buildings in Article 11, of the Planning Code.

d.   Work consisting solely of the installation of on-site renewable energy systems, such as solar photovoltaic, solar hot water, cogeneration, wind turbine generators or other renewable energy features.

e.   Applications for which the entire scope was previously delayed due to procedural errors by a City agency.

f.   Work solely to comply with official Department of Public Works, Planning Department, or Department of Building Inspection actions to abate public nuisances as identified by those Departments.

g.   Revisions and corrections that are minor in nature and would not require more than one staff-hour to review and process.

h.   Submittals of applications, revisions and addenda pursuant to decisions of the Planning Commission, the Board of Appeals, the Board of Supervisors, or other similar review or appeals body that are minor in nature.

i.   Applications for other projects for which, in the sole judgment of the Director of Planning, urgent or extraordinary circumstances exist such that priority review of the application would lead to a significant public benefit, when requested in writing and accompanied by written findings.

Some Type 6 Applications may be reviewed and approved at the Planning Information Center (PIC), and in those instances no special procedures are required. In other instances, applications for priority processing as Type 6 applications shall be made using a standard form provided by the Planning Department that includes written findings prepared by the applicant.

BENEFITS AND EXPECTATIONS FOR QUALIFYING APPLICATIONS:

For **Type 1 and Type 1A** Applications, there shall be a target timeline of one week for application assignment[1] and two weeks for application review[2]. Subsequent review of Type 1 Applications (e.g. revisions, technical studies, addenda) shall be prioritized ahead of all other applications, including other types of Priority Applications. Subsequent review of Type 1A applications shall be prioritized ahead of all other applications, excepting Type 1 Applications, based on the percentage by which the applicable affordable housing requirements have been exceeded. The project's obligations with respect to affordable housing shall be memorialized as deemed appropriate by the Director of Planning, and may include the recordation of a Notice of Special Restrictions with the County Recorder's Office.

For **Type 4, 5 and 6** Applications, there shall be a target timeline of two weeks for application assignment and a target timeline of three weeks for initial review. Subsequent review (e.g. revisions, technical studies, addenda) shall be processed with as little delay as possible, based on staff availability.

Type 2 Applications shall be processed as proscribed for Type 4, 5 and 6 Applications except that owing to their potential for complexity, Type 2 applications shall not be subject to the three-week initial review timeline and rather shall have an initial review occur as quickly as feasible given the nature of the particular application.

~~**Type 3** Applications shall be processed as proscribed for Type 4, 5 and 6 applications, except that final certification or other third-party verification that the project has obtained the intended green building certification shall be secured and provided to the City within twelve months of issuance of the first certificate of occupancy for the project (or other completion document if such certificate is not issued).~~

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[1] "Assignment" time is the time between the arrival of a permit or entitlement application that has been enrolled in the priority processing program and its assignment to a Planner.

[2] "Initial review" is the time between assignment and the Planner's first review of the application for project scope and application completeness.

Every project is expected to meet all obligations for construction and/or installation of any features and/or uses associated with its Priority status. Failure of the project to do so will be addressed pursuant to Article 1.7 of the Planning Code and may result in (1) prohibition of approval and/or issuance of the building permit for the project if such permit has not yet been approved or issued, (2) suspension or revocation of the building permit for the project if such permit has been approved and/or issued but the project is not yet complete, or (3) suspension or revocation of the Certificate of Occupancy for the project if the project has been completed. Prior to any approval, issuance or reinstatement of such permit or Certificate of Occupancy, the feature or use in question or an alternate feature or use that – in the sole judgment of the City - satisfies the intent of the Project's priority status may be required. Additionally, the City reserves the right to withhold any such approval, issuance or reinstatement for a length of time equal to that which was saved through enrollment in the Priority Application Processing program. In any such situation, the project sponsor shall be responsible for all administrative costs incurred by the City along with all penalties identified in Article 1.7 of the Planning Code.

For all types of applications, if the volume of qualified Priority Applications and the level of the Department's staffing preclude meeting the proscribed time limits for assignment and/or initial review, the applicant will be informed that the Priority Application Program has reached its capacity and will have the option to proceed with review under normal timelines, or to not proceed with the project until staff becomes available for Priority Application processing.

QUALITY ASSURANCE PROCEDURES:

The timing and priority of assignment and processing of applications shall be subject to ongoing review to confirm that the intent of this policy is fulfilled and to make changes as necessary to optimize the efficient and fair review of applications submitted to the Department.

Approved:

John Rahaim
Director of Planning

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **http://www.sfplanning.org**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
Planning staff are available by phone and at the PIC counter.
No appointment is necessary.

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PLANNING
DEPARTMENT

Application for Priority Application Processing

This form shall be used for requests for Priority Application Processing as set forth in Director's Bulletin No. 2. **Please submit completed applications to the Office of the Planning Director.**

PROPERTY ADDRESS:	**BLOCK(S) & LOT(S):**

ZONING:	**HEIGHT/BULK DISTRICT:**	**SUD/HISTORIC DISTRICT (if any)**

DESCRIPTION OF PROPOSED WORK (ATTACH ADDITIONAL PAGES IF NECESSARY):

Basis for Priority Application Review

Check One: ☐ **1** [100% affordable housing] ☐ **1A** [<100% affordable housing] ☐ ~~**3** [green]~~ ☐ **4** [seismic] ☐ **5** [HCSMP] ☐ **6** [other]

FINDINGS OF CONSISTENCY WITH DIRECTOR'S BULLETIN NO. 2 (ATTACH ADDITIONAL PAGES IF NECESSARY):

Applicant's Declaration

I hereby declare that the information I have provided is accurate to the best of my knowledge. Should this application be accepted, and should the project described herein be implemented, I commit to complete the project in full compliance with the requirements described in Director's Bulletin No. 2 for the particular type of application indicated above. I understand that failure to do so may subject the project to penalties and/or other remedies articulated in Planning Code Article 1.7 and/or Director's Bulletin No. 2.

_____   _____
SIGNATURE OF APPLICANT   DATE

_____   _____
NAME OF APPLICANT (PRINT)   PHONE NUMBER AND EMAIL ADDRESS