



# DOWNTOWN LARGE PROJECT AUTHORIZATION (DNX) SECTION 309

## INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.**

Pursuant to Planning Code Section 309, there are certain review criteria and exceptions that may be granted for projects located in the C-3 Districts. The first pages consist of instructions which should be read carefully before the application form is completed.

For questions, you can call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org) or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助，請致電415.575.9010。請注意，規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A DOWNTOWN LARGE PROJECT AUTHORIZATION?

Planning Code Section 309 establishes a framework for review of construction or substantial alteration of structures in C-3 (Downtown Commercial) Zoning Districts. Projects are reviewed for conformity with the Planning Code and the General Plan, and modifications may be imposed on various aspects of the project to achieve this conformity. These aspects include overall building form, impacts to public views, shadows and wind levels on sidewalks and open spaces, traffic circulation, relationship of the project to the streetscape, design of open space features, improvements to adjacent sidewalks (including street trees, landscaping, paving material, and street furniture), quality of residential units (if applicable), preservation of on-site and off-site historic resources, and minimizing significant adverse environmental effects. Through the Section 309 Review process, the project sponsor may also request exceptions from certain requirements of the Planning Code, if the applicable criteria can be satisfied.

### WHEN IS A PLANNING CODE SECTION 309 APPLICATION NECESSARY?

While Planning Code Section 309 applies to nearly all new construction and substantial alterations in C-3 Zoning Districts, not all projects will require a formal Section 309 Application. Some projects may be reviewed by through the standard site or building permit review process, without filing a separate Section 309 Application with the Planning Department.

**Planning Commission Review - Section 309 Application Required:** The Planning Commission will conduct a hearing to consider the following types of projects within C-3 Zoning Districts:

- Any project that will result in a net addition of more than 50,000 gross square feet.
- Any project that will result in a building greater than 75 feet in height.
- Any project that requests exceptions to specified provisions of the Planning Code.
- Projects that were administratively approved by Planning Department staff through a site or building permit, but were modified by the imposition of conditions. In such circumstances, an applicant may agree to the modifications and waive the right to a hearing.

- Projects that were administratively approved by Planning Department staff through a site or building permit, however, a member of the public has requested within 10 days of the “Notice of Proposed Approval” that the Planning Commission review the project. In such circumstances, the Commission may deem that there are no reasonable grounds to conduct a hearing.

**Planning Staff Review - No Section 309 Application Required:** For the following types of project within C-3 Zoning Districts, Planning Department staff will review a site or building permit for compliance with Planning Code Section 309:

- Projects that do not exceed the thresholds for square footage and height described above; and
- Projects that comply with the requirements of the Planning Code.

Please note that some projects initially reviewed as a site or building permit may require the future submittal of a Section 309 Application, as discussed below.

## HOW DOES THE PROCESS WORK?

Please review the instructions in this packet of information and ask PIC staff if you have any questions. Complete a Project Application, and this Supplemental Application, and follow the Submittal Instructions for Entitlements stated in the Project Application. A planner technician will review your application to ensure that it is complete. The application will then be assigned to a planner, dependent upon the location of the subject property. The assigned planner will review the application against the San Francisco General Plan, the Planning Code, adopted design guidelines, and Planning Department policies and set a Planning Commission hearing date. The assigned planner will gather comments and concerns from the neighborhood during the notification period. Neighborhood support or opposition will be reflected in a staff report presented at the Planning Commission hearing complete with the Planning Department recommendation for approval or disapproval.

If your project does not require a Section 309 Application, you should instead file a site or building permit application with the Department of Building Inspection (DBI). The permit application will be routed to the Planning Department and then be assigned to a planner on a specific Quadrant Team, depending upon the location of the subject property. The assigned planner will review the application against the San Francisco General Plan, the Planning Code, and Planning Department policies. If Planning Department staff concludes that modifications to the project are warranted, and the project sponsor does not agree to the modifications, the sponsor must submit a Section 309 Application and the project will be scheduled for a Planning Commission hearing.

If Planning Department staff concludes that the project complies with the Planning Code, and no modifications are warranted, the Department will issue a “Notice of Proposed Approval” to owners of property immediately adjacent to the project site or to any person who has requested such a notice. If a member of the public within 10 days of this notice that the Planning Commission review the project, the project sponsor must submit a Section 309 Application and the project will be scheduled for a Planning Commission hearing. If no member of the public requests such a hearing within 10 days, the site or building permit will receive a final approval by the Zoning Administrator.

## WHO MAY APPLY FOR A SECTION 309 APPLICATION?

A Section 309 approval is an entitlement that runs with the property; therefore, the property owner or a party designated as the owner’s agent may submit a Section 309 Supplemental Application in conjunction with a Project Application. [A letter of agent authorization from the owner must be attached.]

## FEES

Please refer to the [Planning Department Fee Schedule](#) or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at 415.558.6377.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder’s office and for monitoring compliance with any conditions of approval.



# DOWNTOWN LARGE PROJECT AUTHORIZATION (DNX)

## SECTION 309

### SUPPLEMENTAL APPLICATION

#### Property Information

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Project Address:

Block/Lot(s):

#### Project Description:

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##### Downtown Project Authorization - Compliance

Pursuant to Planning Code Section 309, the Zoning Administrator is required to determine that the project complies with Planning Code Section 138 (Open Space), Section 412 (Downtown Park Fund), Section 146 (Shadows on Streets), Section 147 (Shadows of Publicly Accessible Open Spaces), Section 429 (Public Art), Section 102.8 (b) (16) (Replacement Short-term Parking), Section 413 (Office Affordable Housing Production Program) and Section 414 (Child Care). Please address the following requirements:

1. Size and Open Space. Please submit a full set of dimensioned floor plans of the project identifying areas excluded from the calculation of gross floor area from which the open space requirement is derived.
  
2. Design of Open Space. Please describe the type of open space being provided (i.e. Urban Park, plaza, Greenhouse, etc.) Include a plan of the open space drawn to scale on 11" X 17" sheets:
  - Dimensions of open space including the calculations used to determine the amount of space.
  - Notations as to all levels, if appropriate
  - Calculations of all requirements that have to be quantified (e.g. number of sitting spaces, tables, etc.)
  - Trees and massing of plant material
  - Notations of materials (e.g. for paving)
  - Indication of paving patterns
  - Location and type of food services (cart, separate fixed structure, within project building)
  - Location of rest rooms
  - Diagrams, to demonstrate sun exposure during critical hours appropriate for type of open space
  - Statement of hours of availability
  - Other elements as provided in the Design Guidelines by type (e.g. movable walls for greenhouses etc.)

## Downtown Project Authorization - Compliance (Continued)

3. Downtown Park Fund (Planning Code Section 412).
  - Please include the amount of square footage applicable to the Downtown Park Fund
  - Please also state the total payment to the Downtown Park Fund
  
4. Shadows on Streets (Planning Code Section 146). Certain streets in the downtown have setback requirements and exceptions may be granted from the requirements (see the exceptions section of this application). On other streets, massing of new construction shall be shaped to minimize shadow impacts on public sidewalks, consistent with good design.
  - Describe streets which are shadowed by the Project, and times of year and hours of such shadows.
  
5. Shadows on publicly accessible Open spaces (Planning Code Section 147). Massing of new construction shall be shaped to minimize shadow impacts on publicly accessible open space not subject to Planning Code Section 295 (Proposition K) requirements consistent with good design.
  - Describe publicly accessible open spaces which are shadowed by the Project, in terms of the amount of area shadowed, the duration of such shadows, and the importance of sunlight to the type of open space being shadowed.
  
6. Public Art (Planning Code Section 429). Projects shall supply publicly visible art work equal to 1% of the construction cost. Describe the work of art or art concept including:
  - Type of art piece (e.g. sculpture, relief, tapestry)
  - Medium (e.g. marble, wood, fiber)
  - Approximate Dimensions
  - Artist's residence by City
  - Budgeted cost for art piece
  - Construction cost of building as determined by the Department of Building Inspection





## **Downtown Project Authorization - Request for Planning Code Section 309 Exceptions**

Pursuant to Planning Code Section 309, projects may seek specific exceptions to the provisions of this Code as provided for below. Please describe how the project meets specified criteria, complete with justifications. (Add additional sheets if necessary)

9. Exceptions to the limitations on above-grade residential accessory parking as permitted in Section 155(s).

10. Exceptions to the freight loading and service vehicle space requirements as permitted in Section 161(h).

11. Exceptions to the off-street tour bus loading space requirements as permitted in Section 162.

12. Exceptions to the height limits for vertical extensions as permitted in Section 260(b)(1)(G) and for upper tower extensions as permitted in Section 263.7.

13. Exceptions to the height limits in the 80-130F and 80-130X Height and Bulk Districts as permitted in Section 263.6 and in the 200-400S Height and Bulk District as permitted in Section 263.8.

14. Exceptions to the bulk requirements as permitted in Sections 270 and 272.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

## For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_