



DOWNTOWN PROJECT AUTHORIZATION

INFORMATIONAL PACKET

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.

Planning Department staff are available to advise you in the preparation of this application. Call 415.558.6377 for further information.

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 415.575.9121. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A DOWNTOWN 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 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.
- 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. After filling out the application and collecting the required plans, please contact the Planning Department for an intake appointment to process your application. At this appointment 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. All owners within 300 feet of the subject property will receive notification of the hearing and in many instances so will tenants within 150 feet. 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 of the conditional use.

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 Application. [A letter of agent authorization from the owner must be attached.]

PLAN SUBMITTAL INSTRUCTIONS

The Downtown Project Authorization application includes a project description, necessary contact information, modifications and exceptions to the project, and a set of findings that must be answered. The modifications and exceptions portion lists some of the physical aspects that the Planning Department and Planning Commission may consider during their design review and the possible exceptions that may be granted by the Planning Commission. Please describe the exceptions for which you are applying in the designated area. The set of findings are Priority General Plan Policy Findings, which determine San Francisco General Plan consistency. Please answer all questions fully. Please type or print ink and attach pages if necessary.

Please provide the following materials with the application:

Authorization: If the applicant in this case is the authorized agent of the property owner, rather than the owner, a letter signed by the owner and creating or acknowledging that agency must be attached and is included in the application for Conditional Use Authorization.

Drawings: The application must be accompanied by plans sufficient for proper determination of the case. In most cases a plot plan will be required, accurately showing existing and proposed structures on both the subject property and on immediately adjoining properties, open spaces, driveways, parking areas, trees, and land contours where relevant. Where the size or use of floor areas is material to the case, floor plans will also be required.

Drawings of building elevations must be provided when exterior changes are proposed. All landscaping should be clearly shown on the plans. A sign program may be submitted at this time. Certain types of conditional uses have additional special requirements under the Code and may require additional information to be submitted with the application; the Department staff will assist in determining what materials are required. A north arrow and scale shall be shown on each plan, and unless an exception is specifically granted by the Zoning Administrator the scale shall be not less than 1/8" = 1' - 0" for site plans, 1/8" = 1' 0" for floor plans, and 1/4" = 1' 0" for elevations and plans showing layout of parking and loading. For additional information, please see the Plan Submittal Guidelines available at www.sfplanning.org under the Permit Forms page.

Photographs: showing the subject and surrounding properties.

All plans and other exhibits submitted with this application will be retained as part of the permanent public record in this case.

Additional Downtown Project Authorization Requirements: In addition to the requirements set forth in this Code, additional requirements and limitations (hereafter referred to as modifications) may be imposed on the following aspects of a proposed project, through the imposition of conditions, in order to achieve the objectives and policies of the Master Plan or the purposes of this Code:

1. Building siting, orientation, massing and facade treatment, including proportion, scale, setbacks, materials, cornice, parapet and fenestration treatment, and design of building tops;
2. Aspects of the project affecting views and view corridors, shadowing of sidewalks and open

- spaces, openness of the street to the sky, ground-level wind current, and maintenance of predominant streetwalls in the immediate vicinity;
3. Aspects of the project affecting parking, traffic circulation and transit operation and loading points;
 4. Aspects of the project affecting its energy consumption;
 5. Aspects of the project related to pedestrian activity, such as placement of entrances, street scale, visual richness, location of retail uses, and pedestrian circulation, and location and design of open space features;
 6. Aspects of the project affecting public spaces adjacent to the project, such as the location and type of street trees and landscaping, sidewalk paving material, and the design and location of street furniture as required by Section 138.1;
 7. Aspects of the project relating to quality of the living environment of residential units, including housing unit size and the provisions of open space for residents;
 8. Aspects of the design of the project which have significant adverse environmental consequences;
 9. Aspects of the project that affect its compliance with the provisions of Sections 1109(c), 1111.2(c), 1111.6(c), and 1113 regarding new construction and alterations in conservation districts;
 10. Other aspects of the project for which modifications are justified because of its unique or unusual location, environment, topography or other circumstances.

If the project sponsor opposes project modifications and conditions recommended by the Director of Planning pursuant to the design review, the Director shall prepare a report of recommended modifications which shall be presented to the Planning Commission for a hearing pursuant to Subsection (e) and which shall be available to the public upon mail notification of said hearing.

The referenced Code sections are available on-line and may be explained to you at the PIC.

During your intake appointment, please provide a digital copy of all documents submitted (may be provided via CD or USB drive) containing the application, project drawings and any other submittal materials that are available electronically.

Fees

Please refer to the [Planning Department Fee Schedule](http://www.sfplanning.org) available at www.sfplanning.org 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.

Environmental Review

The California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code implementing that act may require an Environmental Evaluation before the application may be considered. Please consult the Planning Department staff to determine if an Environmental Evaluation application must be submitted with this application. A separate fee is required for environmental review.

Planning Commission Hearing Material

This timeline includes a deadline for project sponsors to submit material to staff to be included in the Commission packet. If the Sponsor does not submit the necessary material by the deadline, the project will be continued to a later hearing date.

- Three weeks prior to hearing: Project Sponsor submits draft project graphics (plans, renderings etc) to project planner.
- Two weeks prior to hearing: Project planner submits Draft staff report (must include draft attachments) to Team Leader for review.
- Ten days prior to hearing (5pm on Monday): Deadline for submittal of all other sponsor material and public comment to be included in Commission packets
- One week prior to hearing: Project planner delivers complete Commission packets to the Commission Secretary.

To file your Downtown Project Authorization application, please send an email request along with the intake appointment request form to: CPC.Intake@sfgov.org. Intake request forms are available here: <http://sf-planning.org/permit-forms-applications-and-fees>. At your scheduled appointment, please bring your completed application with **ALL required materials.**

WHAT APPLICANTS SHOULD KNOW ABOUT THE PUBLIC HEARING PROCESS AND COMMUNITY OUTREACH

- A. The Planning Commission encourages applicants to meet with all community groups and parties interested in their application early in the entitlement process. In many cases, this is required as part of the Pre-application process. Department staff is available to assist in determining how to contact interested groups. Neighborhood organization lists are available on the Department's website. Notice of the hearing will be sent to groups in or near the neighborhood of the project. The applicant may be contacted by the Planning Department staff with requests for additional information or clarification. An applicant's cooperation will facilitate the timely review of the application.
- B. The Commission requests that applicants familiarize themselves with the procedure for public hearings, which are excerpted from the Planning Commission's Rules and Regulations below.

Hearings. A public hearing may be held on any matter before the Commission at either a Regular or a Special Meeting. The procedure for such public hearings shall be as follows:

1. A thorough description of the issue(s) by the Director or a member of the staff along with the Planning Department's recommendation.
 2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
 3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
 4. Public testimony from individuals may speak for a period not to exceed 3 minutes.
 5. Director's preliminary recommendation must be prepared in writing.
 6. Action by the Commission on the matter before it.
 7. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
 8. The President may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
- C. **Private Transcription.** The Commission President may authorize any person to transcribe the proceedings of a Regular, Special or Committee Meeting provided that the President may require that a copy of such transcript be provided for the Commission's permanent records.
 - D. **Opportunities for Appeals by Other Bodies:**
Planning Commission actions on Conditional Uses are final unless appealed to the Board of Supervisors within 30 days of Commission action.



San Francisco Planning

FOR MORE INFORMATION:

Call or visit San Francisco
Planning

Central Reception

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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.