



SAN FRANCISCO
PLANNING
DEPARTMENT

APPLICATION PACKET FOR Legislative Amendment

Planning Department
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94103-9425

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Pursuant to Planning Code Section 302 and 340, the Planning Commission and Board of Supervisors shall hear and make determinations regarding Legislative Amendments. The first pages on this document 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.

WHAT IS A LEGISLATIVE AMENDMENT?

There are three main types of legislative amendments that relate to land use in San Francisco; 1) a General Plan amendment; 2) a Zoning Map amendment; and 3) a Planning Code Text amendment. Each of these amendments must be approved by the Board of Supervisors through a formal ordinance. All proposals for reclassification of property or other amendments are considered first by the Planning Commission, which may recommend that the Board of Supervisors either approved or disapprove the legislative amendment.

A General Plan amendment is a request to alter a component of San Francisco's General Plan. The General Plan is the main document that sets all land use policy in the City and County of San Francisco. A General Plan amendment may be as simple as reclassifying a parcel of property that is located on a map within the General Plan, or as complicated as adding or deleting policy from an Element of the General Plan.

A Planning Code Text amendment is a request to modify a particular section of the Planning Code. The most common amendment is to create a new Special Use District and associated controls, which requires adding these details to the Planning Code.

A Zoning Map amendment is the reclassification of real property from one district to another. This includes changing the height of a parcel, zoning of a parcel, or the creation of a Special Use District for a parcel (or a combination of parcels).

Note however, that there may be other types of entitlements and/or changes that may need final approval from the Board of Supervisors, such as a Mills Act Historical Property Contract, approval regarding certain Inclusionary Housing Program requirements, and a legislative setback.

WHEN IS A LEGISLATIVE AMENDMENT NECESSARY?

A legislative amendment is required whenever a parcel will be reclassified, the Planning Code will be amended, or the General Plan be modified. These changes cannot occur without final approval from the Board of Supervisors, which requires the passing and enactment of an ordinance.

HOW DOES THE PROCESS WORK?

Due to the many public hearings and notification requirements, the legislative amendment process takes anywhere from four months to a year.

Legislative amendments establish land use law but do not grant entitlements for development. If the proposed amendment is in conjunction with a development proposal, please consult the assigned planner early in the process to coordinate both the development and the legislative change.

Upon the submittal of a complete application to the Planning Department, the following processes will occur:

1. Project planner requests that the City Attorney drafts legislation to accomplish the requested amendments. This legislation is in the form of an ordinance and may contain all three types of amendments (if applicable). Or, depending on the complexity of the project, the City Attorney may draft several separate ordinances. Each ordinance must go through the full legislative process in order to be enacted.
2. The legislation will be forwarded to Environmental Planning for CEQA review. Please note that a separate environmental application must be filed when the legislation is complete. Contact the Department's Environmental Planning division for further information.
3. Upon receipt of the final ordinance(s) and final CEQA determination, the Project Planner schedules the item for an initiation hearing by the Planning Commission. The Planning Commission votes to initiate the proposed amendments and schedules another public hearing for review of the substance of the proposals. Please note that there are no notification requirements for the initiation hearing by the Planning Commission.
4. If the proposed ordinance regards a historic or cultural resource or a Planning Code Text amendment that pertains to the regulation of historic or cultural resources, then the item must be scheduled for review and comment by the Historic Preservation Commission before it can be heard by the Planning Commission.
5. The adoption hearing at the Planning Commission public hearing is scheduled no earlier than 20 days from the date of the initiation hearing. Any entitlements associated with this legislative amendment should be considered at this hearing. Prior to this hearing any and all notification must be completed. Please note that each type of legislative amendment has separate and distinct notification requirements. See Notification Requirements for more information.
6. The ordinance is reviewed and commented upon by the Planning Commission at a public hearing. This is a formal requirement that takes the form of a Resolution and makes a recommendation to the Board of Supervisors to either approve, disapprove, or modify the proposed legislative amendment.
7. After the public hearings have been completed, Planning staff formally transmits the proposed legislation to the Clerk of the Board of Supervisors. Because this is being initiated by a project sponsor, it takes approximately two weeks from the date of submittal to the Clerk for the legislation to be introduced at the Board of Supervisors hearing.
8. Upon formal introduction, the President of the Board of Supervisors will assign the legislation to the appropriate committee, usually the Land Use & Economic Development Committee. Under Board Rule 5.40, the ordinance must sit for 30 days before it can be heard by the Committee.
9. The item(s) will be heard at the assigned committee where the Department will describe the proposed legislative amendment and state the recommendation of the Planning Commission (and Historic Preservation Commission if applicable). The Committee will make a formal recommendation and pass the item onto the full Board of Supervisors.
10. All ordinances must have two full 'readings' at the Board of Supervisors; that is, the item must be calendared and voted upon at two separate hearings before it can be final.
11. Once the legislation has been passed by the Board of Supervisors, the Clerk of the Board transmits it to the Mayor for signature. The Mayor has 10 days to act on a piece of legislation. The legislation generally becomes effective 30 days from the date the Mayor signs the legislation.
12. Please note that no entitlements, permits, or work related to the proposed legislation can be implemented until the legislation becomes effective.

WHO MAY APPLY FOR A LEGISLATIVE AMENDMENT?

Planning Code Sections 302 and 340 states that the Board of Supervisors, the Planning Commission or one or more interested property owners, residents, or commercial lessees or their authorized agents" can initiate a legislative change. Only those authorized may apply. [A letter of agent authorization from the owner must be attached.]

INSTRUCTIONS

The attached application for a Legislative Amendment includes a project description, necessary contact information, and one set of findings that must be answered. 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 in ink and attach pages if necessary.

Please provide the following materials with this application:

- **300 Foot Radius Map and Address List:** This is only required for a Zoning Map amendment. See instructions on page 5.
- **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 agency must be attached and included in the application for a Legislative Amendment.

Fees:

Please refer to the Planning Department Fee Schedule 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 Department staff time or City Attorney 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.

CEQA Review:

The California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code implementing that act requires an Environmental Evaluation before the proposed legislative change may be considered. Please consult 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 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 Legislative Amendment application, please call (415) 558-6378 in advance to schedule an intake appointment. At your scheduled appointment with a staff planner, please bring your completed application with all required materials.

Notification Requirements for Legislative Amendments

If both a Text and Map Change or a General Plan Amendment and Map Change are proposed as part of a single project, the notification requirements and procedures for only the Map Change should be used, as they are more restrictive.

No notification is required for a hearing before the Historic Preservation Commission.

Please refer to Planning Code Section(s) 306.3 and 306.8 for details regarding notification.

Planning Code Text Change

- **Posted notice:** No posted notice required.
- **Mailed notice:** No mailed notice required.
- **Newspaper notice:** 20-day newspaper notice required.
- **E-mail Notice:** Copy of mailed notice sent to interested parties.

Zoning Map Change

- **Posted notice:** All applications must have posted notice on the subject property(s) for a minimum of 20 days prior to the hearing.
 - In addition, for areas less than ½ acre: a 10-day, 8½"x11" posting is required at every street intersection within a 300' radius of the subject property.
 - For areas of greater than ½ acre: No posted notice required at the intersections.
- **Mailed notice:** For all Zoning Map changes, a 10-day mailed notice to property owners within 300' and relevant neighborhood groups; no map required.
 - For areas greater than 30 acres for which map change is based on "general zoning studies" (i.e., area plan or major rezoning), a 10-day mailed notice to property owners within 300' and relevant neighborhood groups; no map required, except that such notice must contain a general description of boundaries of area proposed for reclassification.
- **Newspaper notice:** 20-day newspaper notice required.
- **E-mail Notice:** Copy of mailed notice sent to interested parties.

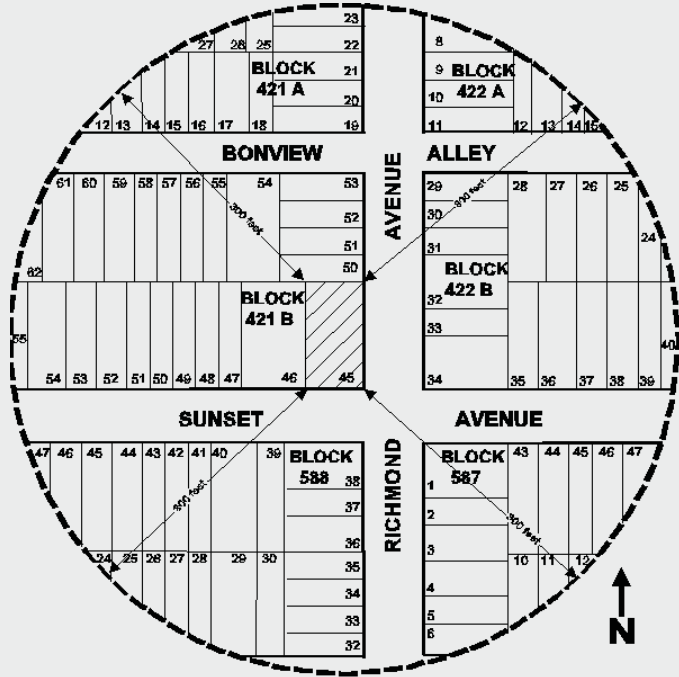
General Plan Amendment

- **Posted notice:** No posted notice required.
- **Mailed notice:** No mailed notice required.
- **Newspaper notice:** 20-day newspaper notice required. The notice shall contain a map of the parcel if applicable.
- **E-mail Notice:** Copy of mailed notice sent to interested parties.

300-foot Radius Map Instructions

Zoning Map Amendments

1. The map must show all properties within 300-feet of the EXTERIOR boundaries of the property; a 300-foot radius map, drawn to a scale of 1 inch to 50 feet, either the original on TRACING paper or a blueprint copy (no photocopy accepted) is required for submittal with applications under the Planning Code, including variance, reclassification (rezoning), large project authorization, conditional use, and certain subdivision applications.
2. Submit two lists of the names and addresses, including the block and lot for each one, of all owners of the properties within 300 feet of the subject property and self-adhering labels with the same data. The latest Citywide tax roll is available at the Office of the Treasurer and Tax Collector, City Hall Room 140, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102, for the preparation of this list. The labels will be used to mail notice of the time and place of the public hearing required.



NOTE: THIS EXAMPLE IS NOT TO REQUIRED SCALE

EXAMPLE OF MAILING LABEL

| | |
|-----------------|--|
| Block # / Lot # | #9331 / #07 |
| Name | JOHN DOE |
| Address | 123 South Street #2 San Francisco, CA 94100 |

The following businesses have indicated that they provide professional notification services. This listing does not constitute an endorsement. Other professionals can also perform this work and can be added to this list upon request.

3. If you wish to prepare the materials yourself, block maps may be traced at the office of the Assessor, 81 Dr. Carlton B. Goodlett Place, City Hall, Room 190. The width of the public right-of-way for the streets separating the blocks may be determined at the Department of Public Works, Bureau of Street Use and Mapping, 875 Stevenson Street, Room 460, 554-5810.
4. You may, for a fee that varies by firm, have a private drafting or mailing service prepare these materials.

Build CADD
3515 Santiago Street
San Francisco, CA 94116
(415) 759-8710

Notificationmaps.com
Barry Dunzer
(866) 752-6266
www.notificationmaps.com

Javier Solorzano
3288 - 21st Street #49
San Francisco, CA 94110
(415) 724-5240
Javier131064@yahoo.com

Radius Services
1221 Harrison Street #18
San Francisco, CA 94103
(415) 391-4775
radiusservices@aol.com

Jerry Brown Designs
619 - 27th Street, Apt. A
Oakland, CA 94612
(415) 810-3703
jbdsgn328@gmail.com

Notice This
(650) 814-6750

Ted Madison Drafting
P.O. Box 8102
Santa Rosa, CA 95407
(707) 228-8850
tmadison@pacbell.net

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. 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 will be held on the proposed Legislative Amendment before the Commission at either a Regular or a Special Meeting. The procedure for such public hearings shall be as follows:

1. A description of the issue 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 for a period not to exceed 15 minutes.
3. Public testimony from proponents of the proposal. An individual may speak for a period not to exceed 3 minutes. Additional limits may be imposed by the Commission President.
4. Public testimony from opponents of the proposal would be taken under conditions parallel to those imposed on proposal proponents, 3 minutes for an individual and 5 minutes for a group or organization if the group or organization is represented by one speaker.
5. The project sponsor or applicant will be given a period, not to exceed 5 minutes, within which to clarify any questions raised in previous testimony.
6. Organized opposition, recognized in accordance

with Paragraph 3 above, will be given a period not to exceed 5 minutes, within which to clarify any questions raised in previous testimony.

7. Discussion and vote by the Planning Commission on the matter before it.
 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.

CASE NUMBER:
For Staff Use only

APPLICATION FOR Legislative Amendment

1. Owner/Applicant Information

| | |
|---------------------------|-----------------------|
| PROPERTY OWNER'S NAME: | |
| PROPERTY OWNER'S ADDRESS: | TELEPHONE: () |
| | EMAIL: |

| | | |
|----------------------|-----------------------|--|
| APPLICANT'S NAME: | | Same as Above <input type="checkbox"/> |
| APPLICANT'S ADDRESS: | TELEPHONE: () | |
| | EMAIL: | |

| | | |
|----------------------------------|-----------------------|--|
| CONTACT FOR PROJECT INFORMATION: | | Same as Above <input type="checkbox"/> |
| ADDRESS: | TELEPHONE: () | |
| | EMAIL: | |

2. Property Location and Classification

| | |
|----------------------------|-----------|
| STREET ADDRESS OF PROJECT: | ZIP CODE: |
| CROSS STREETS: | |

| ASSESSORS BLOCK/LOT: | LOT DIMENSIONS: | LOT AREA (SQ FT): | ZONING DISTRICT: | HEIGHT/BULK DISTRICT: |
|----------------------|-----------------|-------------------|------------------|-----------------------|
| / | | | | |

3. Use and Associated Applications

| | |
|---|-------------|
| PRESENT OR PREVIOUS USE: | |
| PROPOSED USE: | |
| ASSOCIATED BUILDING APPLICATION PERMIT NO(S): | DATE FILED: |
| ASSOCIATED PLANNING ENTITLEMENT APPLICATION(S): | DATE FILED: |

4. Description of Proposed Legislative Amendments

| |
|---|
| TYPE OF LEGISLATIVE AMENDMENT (ZONING MAP, PLANNING CODE TEXT, OR GENERAL PLAN AMENDMENT) |
| |
| PLANNING CODE SECTION PROPOSED FOR AMENDMENT: |
| |
| ZONING MAP PAGE(S) PROPOSED FOR AMENDMENT: |
| |
| GENERAL PLAN ELEMENT PROPOSED FOR AMENDMENT: |
| |

5. Please describe the proposed Legislative Amendment(s). Attach separate sheets or other information if needed.

6. Please describe the public purpose or necessity of the proposed Legislative Amendment(s). Per Planning Code Sections 302 and 340, the Board of Supervisors will have to make findings of public necessity, convenience and general welfare. Attach separate sheets or other information if needed.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

3. That the City's supply of affordable housing be preserved and enhanced;

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

7. That landmarks and historic buildings be preserved; and

8. That our parks and open space and their access to sunlight and vistas be protected from development.

CASE NUMBER:
For Staff Use only

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: The other information or applications may be required.

Signature: _____

Date: _____

Print name, and indicate whether owner, or authorized agent:

Owner / Authorized Agent (circle one)

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

| APPLICATION MATERIALS | CHECKLIST |
|---|--------------------------|
| Application, with all blanks completed | <input type="checkbox"/> |
| 300-foot radius map, if applicable | <input type="checkbox"/> |
| Address labels (original), if applicable | <input type="checkbox"/> |
| Address labels (copy of the above), if applicable | <input type="checkbox"/> |
| Prop. M Findings | <input type="checkbox"/> |
| Check payable to Planning Dept. | <input type="checkbox"/> |
| Original Application signed by owner or agent | <input type="checkbox"/> |
| Letter of authorization for agent | <input type="checkbox"/> |

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**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.*