

SAN FRANCISCO PLANNING COMMISSION



DRAFT – Meeting Minutes

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

Thursday, March 13, 2014
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT WU AT 12: 08 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Scott Sanchez – Zoning Administrator, Kimia Haddadan, Aaron Starr, Kearstin Dischinger, Mary Woods, Steve Wertheim, Glenn Cabrerros, Kanisha Burns, 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. [2014.0180T](#) (A. STARR: (415) 558-6362)
AMENDMENTS TO THE PLANNING CODE, PROVISION FOR PUBLIC USE ZONING DISTRICTS [BOARD FILE NO. 140062] - **Ordinance amending the Planning Code** by amending Sections 234, 234.1, and 234.2, in order to modify and make technical amendments to the provisions of Public Use Zoning Districts, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Preliminary Recommendation: Adopt a Recommendation for Approval with Modifications

(Continued from Regular Meeting of February 27, 2014)
(Proposed for Continuance to March 20, 2014)

SPEAKERS: Dennis Antenore – Responsiveness of staff at least a one month continuance
 Dennis Mosgofian – No neighborhood notification
 Chris Schafer – Coalition of SF Neighborhoods agenda, minimum six week continuance
 Katherine Howard – Neighborhood outreach at least two weeks

ACTION: After being called out of order (after Item 6); Continued to May 1, 2014

AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

B. COMMISSION MATTERS

2. Consideration of Adoption:
- [Draft Minutes for February 27, 2014](#)

SPEAKERS: None

ACTION: Adopted

AYES: Wu, Fong, 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.

3. 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:

Well they say San Francisco real estate is hot, but I didn't think it was as hot as the situation was on Fourth Street, unfortunately, this week with the unfortunate fire, but I did want to give great credit to our Fire Department, who was on top of that immediately, and limited the damage to the effected building, it did not spread, except for some windows out and a few other things that are fairly minor to accompanying structures and I think the fact that we did, over the years, since the great earthquake and fire in 1906, take a lot of steps with, a large fire department, emergency sources of water that can be drawn upon, certainly showed how effective these steps were in the problem that occurred, on this week. On another item there's been some attention given in the newspapers to, the amount we spend per year on homelessness with no apparently diminishing in the number of homeless identified on the streets. I think it works out to a little bit under \$30,000 per individual if you agree with the figure of 6,000 homeless now, according to the Examiner article, half of that is on permanent supportive housing and you know that is money well spent. I would certainly be in favor of spending more to trying to do that, but in connection with that, I think we have to have rules once that was spent and this housing was established to accommodate the people, because it's not a sum zero game, the reason that we never see a decrease in the number of homeless is

because we keep attracting new ones to San Francisco and part of it is, because there aren't really a lot of rules, and I think if we provide the housing and we mandate that those individuals housed are also treated for any problems they may have, as far as chemical addiction, alcohol problems, mental problems or any other job skills training, that they might need to be able to live their lives independently, and I think when we start putting restrictions on that and then making it, not have people be allowed to be sleeping in public or private spaces without the consent of the private property owner, I think you'll see a lot slower migration of people who are likely to become homeless in San Francisco. I'd like to see us pursue the possibility either through a bond measure or through year-to-year funding, I think the bond measure would be the smarter way to do it to establish as much supportive -- permanent supportive housing as we need along with rules, along with restrictions, I think it would be something the voters would be supportive of if it's balanced.

Commissioner Sugaya:

Just a question to the Director, can you give us an update on what we're going to hear something from staff on the Academy of Art University situation?

Director Rahaim:

I'm thinking we're going to have a hearing next month, I believe that's what we talked about, is that we're trying to get it on calendar for next month, I don't have a specific date, but we are hoping we can make it happen in April.

Commissioner Sugaya:

Secondly, back in 2004 apparently the Board of Supervisors passed some resolution or legislation or something, I'll read from this: "On May 11th, 2004 homeless people in San Francisco scored a victory by convincing the City's Board of Supervisors to set aside 15 city-owned surplus properties for development into homes for people with extremely low incomes. This new legislation created a process for future surplus properties to be set aside also." So, if we can get some status report on whatever happened to this program, and whether it's still around or that kind of thing?

Director Rahaim:

I'll be happy to check into that. I don't know right now, but I will be happy to check that.

Commissioner Moore:

Director Rahaim I would appreciate if you'll keep the Commission posted, and I am sure you will be having your ear to the ground, of how the fire in Mission Bay might impact surrounding construction and other implementations, which come in the form of open space, etc., etc. And how you personally, strategically see that being a shift in the overall completion of that plan area. That area is very mature and this is a major setback, and I am wondering -- I would be interested in your position of what you hear and what we can do to help the seamless remedying of the problems, which are arising.

Director Rahaim:

I haven't had a chance to talk to Tiffany Bohee yet, from the Office of Community Investment and Infrastructure, which you know is co-responsible for that area as well, and when I do I'll be happy to report back to you on what the next steps are

Commissioner Moore:

That includes how community benefits, etc., will be effected, because some of the benefits only kick-in when the project is complete and that is a very kind of complicated mechanism and I would be interested to hear what we are doing to help.

C. DEPARTMENT MATTERS

4. Director's Announcements

Director Rahaim:

Other than that, I was going to mention the fire and I was going to talk to the successor agency, but other than that, I have no announcements at this point.

5. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

LAND USE COMMITTEE: NONE

FULL BOARD OF SUPERVISORS:

- **Zoning Map change for St. Boniface.** This property is located in the Tenderloin. Supervisor Kim sponsored the rezoning. The rezoning from RC-4 to C-3-G will enable the existing landmark building to be eligible for transferable development rights. In January of this year both the Historic Preservation Commission and the Planning Commission recommended approval. **This week the Full Board recommended approval on FINAL reading.**
- **Planning Code Text Change.** This change would allow certain nonconforming structures to be rebuilt. The Planning Commission considered this ordinance most recently on Feb 6, 2014. At that hearing the Commission voted 3-3 to recommend approval. As there were not four affirmative votes, this constituted a failed motion. After the hearing, the 90-day limit for a Commission recommendation expired—this resulted in a defacto recommendation of disapproval. At the Board's committee hearing last week Supervisor Kim amended the ordinance to specific that the text change only apply to the block and lot with the proposed Apple Store. **This week the Full Board approved the ordinance with that amendment and supporting findings, on FINAL reading.**

INTRODUCTIONS:

- **Supervisor David Campos, Scott Wiener, Jane Kim, Mark Farrell, John Avalos, Eric Mar** introduced a Ordinance requiring the Planning Department to include certain informational questions regarding anti-discriminatory housing policies based on sexual orientation and gender identity on a project sponsor's application for specified residential and mixed-use projects, requiring an annual report from the Human Rights Commission on the data collected from such applications, and affirming the Planning Department's California Environmental Quality Act determination.
- **Supervisor Campos** , introduced a Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District, to allow mini-golf courses functionally and/or physically integrated with a restaurant use to obtain liquor licenses; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

BOARD OF APPEALS:

The Board of Appeals did meet last night, one item that might be of interest would be 340 Fremont, it was a rehearing request. I had reported previously that the site permit had been appealed, the rehearing request was unanimously rejected last night on that item. Also of note, last time, I think, I reported about the project on Valencia -- 1050 Valencia Street, the Board had issued a decision on that rehearing. A cross had been filed by both the permit holder and one of the appellants, so maybe it was a perfect decision, since both parties seem to be angry with the Board's decision, but that will heard on April 9th.

HISTORIC PRESERVATION COMMISSION:

No Report

D. 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: Dennis Antenore – Moving Item 1 out of order, inappropriately
Patricia Vaughey – Lyon and Lombard bus stop

E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

6. (A. STARR: (415) 558-6362)

[SF PLAZA PROGRAM](#) – **Informational presentation** - Mayor's Office of Economic and Workforce Development will make an informational presentation on the SF Plaza Program, a new collaborative public realm initiative designed to leverage various City, private, nonprofit and stakeholder group efforts to provide long-term activation, management, and/or maintenance for designated City Plazas. Through this program, the City aims to create an environment where residents and visitors can use public spaces for relaxation and for community supported activities such as art and music events, farmers' markets, movie nights, local food and retail opportunities. Proposed changes to the City's Admin Code (Board File No. 140061), Police Code (Board File No. 140064) and Public Works Code (Board File No. 140063) associated with the SF Plaza Program will also be discussed during this presentation. An Ordinance associated with the SF Plaza Program that proposes changes to the Planning Code (Board File No. 140062) may also be discussed during this presentation; however, this Ordinance is scheduled to be heard and acted on by the Planning Commission on March 20, 2014.

Preliminary Recommendation: None - Informational

SPEAKERS:

- Lori Liederman – Fast track development of public space
- Denis Masgofran – Extended public review and discussion
- Dennis Antenore – Proposed legislation does not match up with staff presentation
- Katherine Parks – No commercialization of public spaces
- Hiroshi Fukuda – General public were not involved
- + Rachel Norton – Adds to the benefits of public space, and contributes to stewardship of public space
- + Sahiti Karempudi – Supports activation of public spaces
- + Lyn Valente – Difficulty with activating small public spaces
- + David Bill – Off the grid, McCopping Plaza

- + Kearstin Crabel – Activate the spaces for healthy, safe fun environment
- + Tom Radulovich – Public spaces with fast moving cars. OS vs P Zoning
- + Amber Hasselbring – Non-profit activating green spaces
- = Paul Werner – Review P Zone district uses. Rec/Park lack of maintenance
- = Peter Cohen – Gentrification pedestrian safety
- + Sue Hestor – Public information availability

ACTION: None – Informational

7. [2014.0060U](#) (K. DISCHINGER: (558-6264)
GREEN CONNECTIONS FINAL DRAFT - Informational presentation on the completion of a two year citywide planning effort to identify a Green Connections Network, develop a design toolkit, and complete 6 neighborhood concept designs. Green Connections envisions a network of safe, functional, and attractive streets connecting people to parks, open spaces, and the waterfront. Staff will provide an overview on the planning process, including community outreach, outcomes, and next steps. This project was funded by a grant from the Strategic Growth Council.
 Preliminary Recommendation: None – Informational

SPEAKERS: + Miriam Surrel, SFMTA – Involved in development and design
 + Ana Vasueleo – Strong support
 + Amber Hasselbring, Nature in the city – 24 roots

ACTION: None – Informational

8. [2012.0355I](#) (M. WOODS: (415) 558-6315)
UNIVERSITY OF SAN FRANCISCO INSTITUTIONAL MASTER PLAN - Public Hearing on the University of San Francisco's Institutional Master Plan (IMP), pursuant to Planning Code Section 304.5. The IMP contains information on the nature and history of the institution, the location and use of affiliated buildings, and future development plans. The IMP is available for viewing on the Planning Department's website (from www.sfplanning.org click "Resource Center," then "Department Publications" and then "Institutional Master Plans").
 Preliminary Recommendation: None – No Action is Required

SPEAKERS: + Chuck Smith, USF – IMP introduction
 + Elizabeth Myles – VTA agreement, neighborhood outreach
 + (F) Speaker –
 + Beth Foster –
 + (M) Speaker – TDM, Impact analysis
 + Jake McGoldrick – Transportation issues, affordable housing, student housing
 + William Glazer – USF student, USF EMRS founding member
 + Eva Wong – USF student, residence hall, public transportation
 + Mark Bailey – Student conduct, off campus housing
 + Nick Wu – USF international student
 + Dr. Mary Wardell – USF community engagement, community service
 + Johnny Chenal – Support for USF IMP
 - Mark McIntyre – "Less than a significant impact" USF has created a negative impact on the neighborhood
 - (M) Speaker – USF is a business, parking, dissingenuous student survey
 - John Muuz – Dormitory out of scale with existing neighborhood
 - Jessica Dimes – Four-story dormitory neighborhood character and scale

- Lizzie Lee – In my backyard, noise, density, fire, no sensitivity
 - Sissie Lee – 304.5(c), expand housing to the west, along Anza, limit the height
 - Bob Lee – Parking and traffic issues, parking survey
 - Arna Busacca – Auto registry
 - Preston Crestall – “Stated” goals, urges reconsideration
 - David Hoen – Busy traffic, congested parking
 - Barbara Brodski – Neighborhood growth with transients residents. Inappropriate students
 - = (F) Speaker – Easy reading IMP, air quality, parking problem
 - = Marian Feide Curtail – Maintenance buildings, first time hearing about proposed changes
 - = Pamela Chuey – Loyola Village, desing mtitigations
 - = Tom Griffin – USF dormitory, mitigation associated with Loyola Village
 - = Ruth Levy – Poor planning, no mitigation
 - = Suneil Sing – Fit into the character of the neighborhood, clear mitigation options
 - = Joanna Collanbach – Survey methodoly can be improved upon
 - = Ana Marie Pierce – Proactive efforts, communication, unfortunately not all has been resolved
 - = Chirs Schafer – Neighborhood involment CSI construction, student behavior, settlement agreement
- ACTION: Closed the Public Hearing

9. [2014.0230T](#) (K. HADDADAN: (415) 575-9068)
AMENDMENTS TO THE PLANNING AND BUILDING CODES TO PROVIDE A PROCESS FOR GRANTING LEGAL STATUS TO EXISTING DWELLING UNITS CONSTRUCTED WITHOUT THE REQUIRED PERMITS[BF NO. 131148] - **Ordinance proposed by Supervisor Chiu which would legalize dwelling units constructed without permits**, temporarily suspending the code enforcement process for units in the process of receiving legal status, and prohibiting units from being legalized under the provisions of this ordinance if there have been no-fault evictions; amending the Administrative Code to prohibit the costs of legalization from being passed through to the tenant; affirming the Planning Department’s California Environmental Act determination, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and directing the Clerk of the Board of Supervisors to submit this Ordinance to the California Department of Housing and Community Development in accordance with State law.
 Preliminary Recommendation: Adopt a Recommendation for Approval with Modifications
- SPEAKERS: Board of Supervisors, President, David Chiu – Legislation overview, illegal unit data
 = Patricia Vaughey – Concerned over impacts to property owner
 + Jonathan Crosby – Win – win – win situation
 Aide to Supervisor Chiu – Response to questions
- ACTION: After being called out of order (first on the Regular Calendar); Adopted a Recommendation for Approval with Modifications, amending item 1 to include the Planning Department
- AYES: Wu, Fong, Borden, Hillis, Moore, Sugaya
 NAYES: Antonini
 RESOLUTION: 19101

10. [2013.1896T](#) (S. WERTHEIM: (415) 558-6612)
PLANNING CODE AMENDMENTS RELATED TO PRODUCTION, DISTRIBUTION, AND REPAIR USES - proposed **amendments to the Planning Code and Administrative Code** - The amendments are intended to support the development of new space for Production, Distribution, and Repair (PDR) uses, Small Enterprise Workspace Uses, and Integrated PDR uses, as well as make it easier to operate PDR businesses in the city's PDR Districts. The Planning Code is proposed to be amended by deleting Sections 175.8, 249.39, 413.7, 428A, revising Sections 181, 204.3, 226, 227, and 890.49, and adding Section 219.1. The Administrative Code is proposed to be amended by revising Section 10E.d.
 Preliminary Recommendation: Adopt a Recommendation for Approval with Modifications
 (Continued from Regular Meeting of February 6, 2014)

SPEAKERS: Ken Rich – Introduction
 Andrea Bruss, Aide to Supervisor Cohen – Support
 Aide to Supervisor Campos – Support
 + SF Made
 + Tony Minegette – Timbuk2
 + Robin Petrovich – Heath Ceramics
 + Holly Kand – Timbuk2
 + Nicholas Reese – Ohio ink
 + Tom Radulovich – Horsepower limits, office buildings in industrial neighborhoods
 + Gabriel Medina – no net loss of PDR in SF
 = Sue Hestor – Office space definition

ACTION: Adopted a Recommendation for Approval with Modifications

AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

RESOLUTION: 19102

- 11a. [2013.1177C](#) (G. CABREROS: (415) 558-6169)
2601 VAN NESS AVENUE - northwest corner of Van Ness Avenue and Filbert Street; Lot 002A in Assessor's Block 0522 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 209.8, 253, 271 and 303 to establish a Business/Professional Service Use above the ground floor, to construct a building over 50 feet in height in an RC District and to exceed the bulk limits of the 'A' Bulk District. The project proposes to construct on a vacant lot a six-story, 27-unit mixed-use building with a 990 square foot Business/Professional Service Use at the second floor, 7,200 square feet of ground floor commercial space and 35 off-street parking spaces within two basement levels. The project is located within a RC-3 (Residential, Commercial Combined, Medium-Density) Zoning 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

SPEAKERS: + Warner Schmalz, Project Architect – Project description
 + Winnie Lam, Project Manager, Project description
 - Alan Martinez – Stair penthouse exception
 - Diane Josephs – Request for continuance
 - Dennis Blum – Rooftop amenities create the most significant negative impacts
 - Marian Kaston – Would obscure the views from existing roof decks
 - Carla Anderson – Public views, neighborhood scale

- Daniel Lundt – Community outreach, former gas station site, reduce the height
 - Diane Weismiller – Blindsided by the project. Bad idea
- ACTION: Approved with Conditions as amended, eliminating independent access from units 61, 63 and 74 to private decks, unless access can be provided via roof hatches and the decks are setbacks from the roof edge; or the private decks are access from the common stairs
- AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
- MOTION: 19103

- 11b. [2013.1177V](#) (G. CABREROS: (415) 558-6169)
2601 VAN NESS AVENUE - northwest corner of Van Ness Avenue and Filbert Street; Lot 002A in Assessor's Block 0522 - **Request for Variances** from Planning Code Sections 134, 136 and 140 to vary the required rear yard, permitted obstructions and dwelling unit exposure provisions of the Planning Code. The project requires an approximately 25-foot deep rear yard for the subject property, which is equal to 25 percent of the lot depth. A 70-foot wide, two-story portion of the project would occupy the full depth of the required rear yard at the northwest corner of the lot. A 40-foot wide, six-story portion of the project would occupy the full depth of the rear yard at the northeast corner of the lot, so as not to create a building gap on the blockface along Van Ness Avenue. The project proposes bays along Filbert Street that exceed the maximum dimensions allowed for bays that project into the public right-of-way. Six dwelling units are proposed to face onto a noncomplying rear yard; therefore, these units do not meet the dwelling unit exposure requirements of the Planning Code. The project proposes a six-story, 27-unit mixed-use building within a RC-3 (Residential, Commercial Combined, Medium-Density) Zoning District and 65-A Height and Bulk District.

- SPEAKERS: + Warner Schmalz, Project Architect – Project description
 + Winnie Lam, Project Manager, Project description
 - Alan Martinez – Stair penthouse exception
 - Diane Josephs – Request for continuance
 - Dennis Blum – Rooftop amenities create the most significant negative impacts
 - Marian Kaston – Would obscure the views from existing roof decks
 - Carla Anderson – Public views, neighborhood scale
 - Daniel Lundt – Community outreach, former gas station site, reduce the height
 - Diane Weismiller – Blindsided by the project. Bad idea
- ACTION: Acting ZA closed the PH and took the matter under advisement

F. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

12. [2013.1766DD](#) (G. CABREROS: (415) 558-6169)
126 18TH AVENUE - east side between Lake and California Streets; Lot 039 in Assessor's Block 1377 - **Request for Discretionary Review** of Building Permit Application No. 2013.07.09.1398, proposing to construct a rear horizontal addition and a one-story vertical addition to the existing three-story, single-family residence resulting in a four-story,

single-family residence within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve as Revised

SPEAKERS: - Neil Lynch – DR Requestor
 + John Kevlin – Project Sponsor Representative
 + Karen Sallay – Multi-generational family needs
 ACTION: Took DR and required the project to square off the 4th FL to match the 3rd FL
 AYES: Wu, Antonini, Borden, Hillis, Moore, Sugaya
 RECUSED: Fong
 DRA No: 0355

13. [2013.1133D](#) (K. BURNS: (415) 575-9112)
1070 GREEN STREET - north side of Green Street, between Leavenworth and Jones Streets; Lots 031 and 033 in Assessor's Block 0121A - **Mandatory Discretionary Review**, pursuant to Planning Code Section 317(e), of Building Permit Application No. 2013.07.25.2782, proposing to make interior modifications to merge two dwelling units into one unit, resulting in the elimination of one unit in an existing 47-unit building within a RM-2 (Residential-Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District. A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
 Preliminary Recommendation: Do not take Discretionary Review and Approve

SPEAKERS: + Greg Evard – Project Architect
 + Trudy Chidicks - Owner
 ACTION: No DR; Approved the merger
 AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya
 DRA No: 0356

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))

None

ADJOURNMENT - 9:04 P.M.