

1 [Board of Appeals]
2 AMENDING ARTICLE 1, SECTION 14, OF THE BUSINESS AND TAX REGULATIONS
3 CODE TO PROVIDE THAT ANY IMMEDIATELY ADJACENT PROPERTY OWNER OR
4 OWNERS WHO REQUESTED DISCRETIONARY REVIEW OF A PERMIT BY THE
5 PLANNING COMMISSION AND PREVAILED, IN WHOLE OR IN PART, SHALL HAVE THE
6 STATUS OF A PARTY IN ANY APPEAL OF THE PERMIT TO THE BOARD OF APPEALS.

7 Note: Additions are underlined; deletions are in ((double parentheses)).

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. Article 1 of the San Francisco Business and Tax Regulations Code is hereby
10 amended by amending Section 14 to read as follows:

11 **SEC. 14. HEARING AND DECISION.**

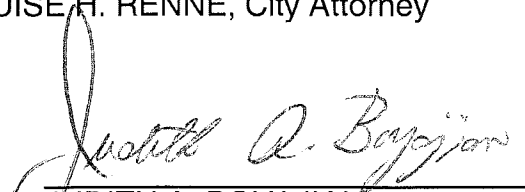
12 The Board of Appeals shall hear the applicant, the permit holder or other interested
13 parties, as well as a representative of the department from whose action the appeal is taken.
14 After said hearing and such further investigations as the Board may deem necessary, but not
15 later than 60 days or a reasonable time after the filing with it of the first appeal, the Board may
16 concur in the action of the department authorized to issue, transfer or revoke the permit, or
17 may overrule the action of said department and order that the permit be granted, restored,
18 denied, or permitted to be transferred, as the case may be.

19 Any immediately adjacent property owner who requested discretionary review of a
20 permit by the Planning Commission and prevailed, in whole or in part, shall have the status of
21 a party under this Article or the Board's rules in any appeal of the permit to the Board of
22 Appeals by the project sponsor. Status of a party includes, but is not limited to, the right to
23 any notices provided to parties, the right to receive service of papers filed by other parties to
24 the appeal, equal time for an oral presentation including rebuttal time, service of the Board's
25 decision, and the right to request a rehearing; provided, however, that if there is more than

1 one such adjacent property owner, the Board of Appeals may, at its discretion, limit the time
2 for oral presentation to three minutes for each adjacent property owner and a combined total
3 of three minutes rebuttal for all adjacent property owners.

4
5 APPROVED AS TO FORM:
6 LOUISE H. RENNE, City Attorney

7
8
9 By:



JUDITH A. BOYAJIAN
Deputy City Attorney



City and County of San Francisco

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

Tails

Ordinance

File Number: 000800

Date Passed:

Ordinance amending Article 1, Section 14, of the Business and Tax Regulations Code to provide that any immediately adjacent property owner or owners who requested discretionary review of a permit by the Planning Commission and prevailed, in whole or in part, shall have the status of a party in any appeal of the permit to the Board of Appeals.

May 15, 2000 Board of Supervisors — SUBSTITUTED

June 12, 2000 Board of Supervisors — SUBSTITUTED

August 7, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

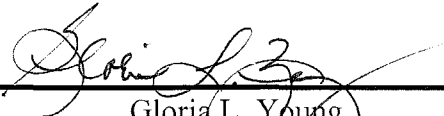
Absent: 1 - Brown

August 21, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom,
Teng, Yaki, Yee

File No. 000800


I hereby certify that the foregoing Ordinance
was FINALLY PASSED on August 21, 2000
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

SEP - 1 2000

Date Approved



Mayor Willie L. Brown Jr.