

BOARD of SUPERVISORS



City Hall
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MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448
FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee
DATE: July 21, 2021
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 210810

Ordinance amending the Planning Code to allow business signs on awnings or marquees in addition to projecting signs in various neighborhood commercial and residential-commercial districts, and in certain Chinatown mixed use districts; applying business sign controls to additional Neighborhood Commercial 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, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

___ No Comment

___ Recommendation Attached

Chairperson, Small Business Commission

1 [Planning Code - Business Signs on Awnings and Marquees]

2

3 **Ordinance amending the Planning Code to allow business signs on awnings or**
 4 **marquees in addition to projecting signs in various neighborhood commercial and**
 5 **residential-commercial districts, and in certain Chinatown mixed use districts; applying**
 6 **business sign controls to additional Neighborhood Commercial Districts; affirming the**
 7 **Planning Department's determination under the California Environmental Quality Act;**
 8 **and making findings of consistency with the General Plan, and the eight priority**
 9 **policies of Planning Code, Section 101.1, and public necessity, convenience, and**
 10 **general welfare findings pursuant to Planning Code, Section 302.**

11 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 12 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 14 **Board amendment additions** are in double-underlined Arial font.
 15 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 16 **Asterisks (* * * *)** indicate the omission of unchanged Code
 17 subsections or parts of tables.

15

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

17

18 Section 1. Environmental and Land Use Findings.

19 (a) The Planning Department has determined that the actions contemplated in this
 20 ordinance comply with the California Environmental Quality Act (California Public Resources
 21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 22 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
 23 determination.

24 (b) On _____, the Planning Commission, in Resolution No. _____,
 25 adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
3 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the
5 actions contemplated in this ordinance will serve the public necessity, convenience, and
6 welfare for the reasons set forth in Planning Commission Resolution No. _____.
7

8 Section 2. Article 6 of the Planning Code is hereby amended by revising Sections
9 607.1 and 607.2, to read as follows:

10 **SECTION 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**
11 **DISTRICTS.**

12 * * * *

13 (f) **Business Signs.** Business Signs, as defined in Section 602, shall be permitted in
14 all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set
15 forth below.

16 (1) Cole Valley, Lakeside Village, NC-1 and NCT-1 Districts.

17 * * * *

18 (D) **Signs on Awnings.** Sign copy may be located on permitted Awnings
19 in ~~lieu of~~addition to Wall Signs and projecting ~~s~~Signs. The Area of such sign copy as defined in
20 Section 602 shall not exceed 20 square feet. Such sign copy may be Nonilluminated or
21 Indirectly Illuminated.

22 (2) **RC, NC-2, NCT-2, NC-S, Inner Balboa Street, Outer Balboa Street, Broadway,**
23 **Castro Street, Inner Clement Street, Outer Clement Street, Cortland Avenue, Divisadero**
24 **Street, Excelsior Outer Mission Street, Fillmore Street, Upper Fillmore Street, Folsom**
25 **Street, Glen Park, Inner Sunset, Irving Street, Haight Street, Lower Haight Street, Hayes-**

1 **Gough, Japantown, Judah Street, Upper Market Street, Noriega Street, North Beach,**
2 **Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial District, Sacramento**
3 **Street, San Bruno Avenue, SoMa, Taraval Street, Inner Taraval Street, Union Street, Valencia**
4 **Street, 24th Street-Mission, 24th Street-Noe Valley, and West Portal Avenue**
5 **Neighborhood Commercial Districts.**

6 * * * *

7 (D) **Signs on Awnings and Marquees.** Sign copy may be located on
8 permitted Awnings or Marquees in *lieu of addition to* projecting Signs. The Area of such sign
9 copy as defined in Section 602 shall not exceed 30 square feet. Such sign copy may be
10 nonilluminated or indirectly illuminated; except that sign copy on Marquees for Movie Theaters
11 or places of Entertainment may be directly illuminated during business hours.

12 * * * *

13 (3) Bayview, Geary Boulevard, Mission Bernal, Mission Street, Lower Polk Street,
14 **NCT, NC-3, and NCT-3 Neighborhood Commercial Districts.**

15 * * * *

16 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located
17 on permitted Awnings or Marquees in *lieu of addition to* projecting Signs. The Area of such Sign
18 copy, as defined in Section 602, shall not exceed 40 square feet. Such sign copy may be
19 nonilluminated or indirectly illuminated; except that sign copy on Marquees for Movie Theaters
20 or places of Entertainment may be directly illuminated during business hours.

21 * * * *

22 //

23 //

24 //

25 //

1 **SEC. 607.2. MIXED USE DISTRICTS.**

2 * * * *

3 (f) **Business Signs.** Business Signs, as defined in Section 602, shall be permitted in
4 all Mixed Use Districts subject to the limits set forth below.

5 (1) **Chinatown Residential Neighborhood Commercial District.**

6 * * * *

7 (D) **Signs on Awnings.** Sign copy may be located on permitted Awnings
8 in ~~lieu of~~addition to Wall Signs and projecting Signs. The area of such sign copy shall not
9 exceed 20 square feet. Such sign copy may be nonilluminated or indirectly illuminated.

10 * * * *

11 (2) **Chinatown Visitor Retail District.**

12 * * * *

13 (D) **Signs on Awnings and Marquees.** Sign copy may be located on
14 permitted Awnings or Marquees in ~~lieu of~~addition to projecting Signs. The area of such sign
15 copy shall not exceed 30 square feet. Such sign copy may be nonilluminated or indirectly
16 illuminated, except that sign copy on Marquees for Movie Theaters or places of Entertainment
17 may be directly illuminated during business hours.

18 * * * *

19 (3) **Chinatown Community Business District, Eastern Neighborhoods,
20 South of Market Mixed Use Districts, and the Downtown Residential Districts.**

21 * * * *

22 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located
23 on permitted Awnings or Marquees in lieu of projecting Signs, except that in the Chinatown
24 Community Business District, sign copy may be located on permitted Awnings or Marquees in addition
25 to projecting Signs. The area of such sign copy shall not exceed 40 square feet. Such sign copy

1 may be nonilluminated or indirectly illuminated; except that sign copy on Marquees for Movie
2 Theaters or places of Entertainment may be directly illuminated during business hours.

3 * * * *

4
5 Section 3. Effective Date. This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor’s veto of the ordinance.

9
10 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
11 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
12 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
13 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
14 additions, and Board amendment deletions in accordance with the “Note” that appears under
15 the official title of the ordinance.

16
17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19 By: /s/ Victoria Wong
20 VICTORIA WONG
21 Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Business Signs on Awnings and Marquees]

Ordinance amending the Planning Code to allow business signs on awnings or marquees in addition to projecting signs in various neighborhood commercial and residential-commercial districts, and in certain Chinatown mixed use districts; applying business sign controls to additional Neighborhood Commercial 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 and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

Existing Law

Planning Code Section 607.1, subsection (f)(1) allows business sign copy on awnings in lieu of wall signs and projecting signs in the NC-1 and NCT-1 zoning districts. Planning Code Section 607.1, subsections (f)(2) and (3) allow business sign copy on awnings or marquees in lieu of projecting signs in the RC, NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Divisadero Street, Excelsior Outer Mission Street, Fillmore Street, Upper Fillmore Street, Folsom Street, Glen Park, Inner Sunset, Irving Street, Haight Street, Hayes-Gough, Japantown, Judah Street, Upper Market Street, Noriega Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial District, Sacramento Street, SoMa, Taraval Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley, West Portal Avenue, Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial Districts.

Planning Code Section 607.2, subsection (f)(1) allows business sign copy on awnings in lieu of wall signs and projecting signs in the Chinatown Residential Neighborhood Commercial District, and Section 607.2, subsections (f)(2) and (3) allow business sign copy on awnings or marquees in lieu of projecting signs in the Chinatown Visitor Retail District and Chinatown Community Business District, among other mixed use districts.

Amendments to Current Law

This ordinance would amend Section 607.1, subsection (f)(1) to allow business sign copy on awnings in addition to wall signs and projecting signs in the Cole Valley, Lakeside Village, NC-1 and NCT-1 Neighborhood Commercial Districts. The ordinance would also amend Section 607.1, subsection (f)(1) to apply the other business sign controls of that subsection to the Cole Valley and Lakeside Village Neighborhood Commercial Districts.

In addition, the ordinance would amend Section 607.1, subsection (f)(2) to allow business sign copy on awnings or marquees in addition to projecting signs in the RC, NC-2, NCT-2, NC-S, Inner Balboa Street, Outer Balboa Street, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Cortland Avenue, Divisadero Street, Excelsior Outer

Mission Street, Fillmore Street, Upper Fillmore Street, Folsom Street, Glen Park, Inner Sunset, Irving Street, Haight Street, Lower Haight Street, Hayes-Gough, Japantown, Judah Street, Upper Market Street, Noriega Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial District, Sacramento Street, San Bruno Avenue, SoMa, Taraval Street, Inner Taraval Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley, and West Portal Avenue Neighborhood Commercial Districts. The ordinance would also amend Section 607.1, subsection (f)(2) to apply the other business sign controls of that subsection to the Inner Balboa Street, Outer Balboa Street, Cortland Avenue, Lower Haight Street, San Bruno Avenue and Inner Taraval Street Neighborhood Commercial Districts.

The ordinance would also amend Section 607.1, subsection (f)(3) to allow business sign copy on awnings or marquees in addition to projecting signs in the Bayview, Geary Boulevard, Mission Bernal, Mission Street, Lower Polk Street, NCT, NC-3, and NCT-3 Neighborhood Commercial Districts. The ordinance would also amend Section 607.1, subsection (f)(3) to apply the other business sign controls of that subsection to the Bayview, Geary Boulevard, Mission Bernal and Lower Polk Street Neighborhood Commercial Districts.

The ordinance would also amend Section 607.2, subsection (f)(1) to allow business sign copy on awnings in addition to wall signs and projecting signs in the Chinatown Residential Neighborhood Commercial District, and would amend Section 607.2, subsections (f)(2) and (3) to allow business sign copy on awnings or marquees in addition to projecting signs in the Chinatown Visitor Retail District and Chinatown Community Business District.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani

Subject:

Planning Code - Business Signs on Awnings and Marquees

The text is listed:

Ordinance amending the Planning Code to allow business signs on awnings or marquees in addition to projecting signs in various neighborhood commercial and residential-commercial districts, and in certain Chinatown mixed use districts; applying business sign controls to additional Neighborhood Commercial 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, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302..

Signature of Sponsoring Supervisor:

