



SAN FRANCISCO PLANNING DEPARTMENT

Planning Department Report Interim Zoning Controls

To: Angela Calvillo, Clerk of the Board
From: Diego R Sánchez, Legislative Affairs
Date: May 16, 2017
Regarding: **Report for the Interim Sign Controls in the Transit Center District Plan Area and the area bounded by Folsom, Harrison, Essex and Second Streets**

Reporting Date: May 16, 2017
Expiration Date: Proposed for November 8, 2017, or until permanent controls established
Case Number: Board File No. 170569
Reviewed By: **Aaron Starr, Manager of Legislative Affairs**

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STATEMENT OF PURPOSE

Per Planning Code Section 306.7(i), the Planning Department is required to conduct a study of zoning proposal contemplated in interim controls enacted by the Board of Supervisors and propose permanent legislation. For any control that is placed in effect for more than six months, a report to the Board of Supervisors is required six months from the date of the imposition of the controls and at least every six months thereafter. This report is intended to satisfy that requirement.

BACKGROUND

On November 10, 2015, the Board of Supervisors enacted Resolution No. 418-15 that imposed interim zoning controls regulating the size and height of new signs and associated illumination near proposed or existing parks. The interim controls apply to the Transit Center District Plan Area and the area bounded by Folsom, Harrison, Essex and Second Streets, except for within City Park and those portions of the Plan Area that overlap with the area defined as Zone One of the Transbay Redevelopment Plan, which portions consist of certain land within the boundaries of Spear, Mission, Folsom and Second Streets. The interim controls were enacted for an 18-month period, ending on May 8, 2017.

REQUIRED ANALYSIS

Per Planning Code Section 306.7, this report is required to address the interim controls; any required study; and an estimate the timeline needed to create permanent controls.

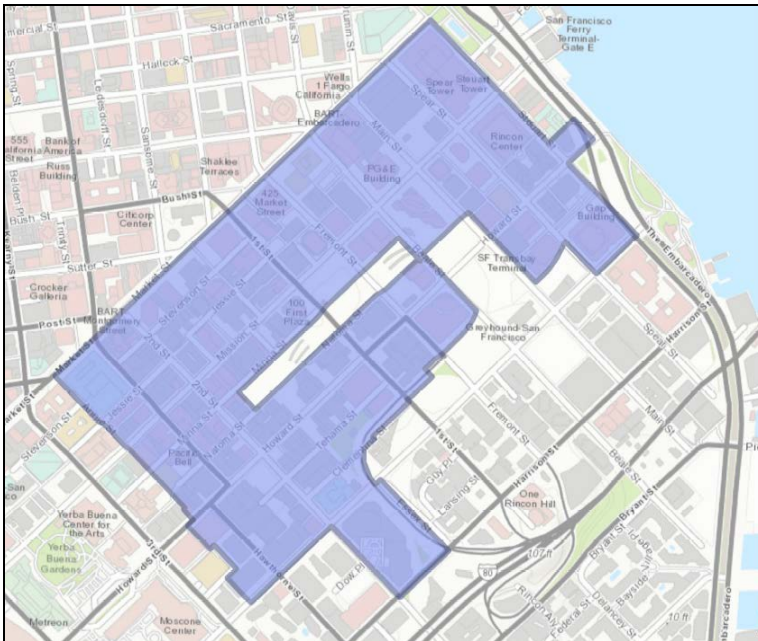
(1) The status of the interim controls:

On July 7, 2016, Supervisor Kim Introduced Board File 150737. The controls became effective on November 10, 2015 and expired on May 8, 2017. On May 9, 2017 Supervisor Kim introduced Board File 170569 to extend the interim controls established by Board File 150737 another six months from the expiration of the zoning controls established by Resolution No. 418-15, or upon the adoption of permanent controls.

Summary of the interim controls:

For an additional six months from the expiration of the zoning controls established by Resolution No. 418-15, or upon the adoption of permanent controls, signage controls in the affected area shall include the following:

1. Illuminated signs shall be 1) dimmable and 2) turned off from 11pm until 6am every day.
2. Signs within 200' of an existing or planned park, other than City Park, or a POPOS of ¼ acre or greater and that is visible from the park or POPOS shall be permitted if it is 50 sf or less and if its highest point is 35' or less as defined by Section 602.8.
3. Signs within 200' of City Park that are visible from the park shall be permitted if
 - a. The new business sign is located on the façade of a building directly abutting or with a pedestrian connection to City Park and a) the sign consists of only metal lettering raised to a maximum dimension of 30" b) is a maximum of 50 sf c) the highest point of the sign is 15' or less from the City Park ground plane and it is only indirectly illuminated per Section 602.11, including but not limited to halo-style lighting.
 - b. If the new business sign is not located on the façade of a building abutting or with a pedestrian connection to City Park, the sign shall comply with Section 607 of the Planning Code.



Map of the Interim Controls: The Interim Controls apply to the Transit Center District Plan Area and the area bounded by Folsom, Harrison, Essex and Second Streets, except for within City Park and those portions of the Plan Area that overlap with the area defined as Zone One of the Transbay Redevelopment Plan, which portions consist of certain land within the boundaries of Spear, Mission, Folsom and Second Streets.

(2) The findings and recommendations to date:

History. In 1985, the City adopted the landmark Downtown Plan, which further shaped the downtown by shifting growth to desired locations. The plan sought to expand the office district, then concentrated north of Market Street, to south of Market Street, especially around the Transbay Terminal. After being damaged by the 1989 Loma Prieta earthquake, the Embarcadero Freeway was torn down and the city was reconnected to its waterfront with a beautiful promenade, roadway and light rail line. This change enabled the downtown to grow southward and began linking and integrating downtown with a future high-density residential neighborhood. The creation of this high-density, mixed-use neighborhood was first codified by the Rincon Hill Plan and the Transbay Redevelopment Plan, both adopted in 2005. In 2012, the Transit Center District Plan was adopted to further the transition of this new downtown. While the zoning for this area has been changed since the Downtown Plan to reflect a mixed district that is both a jobs district *and* a high-density residential district, the signage controls do not reflect these uses.

Study. The existing signage controls for the neighborhood are artifacts from an era before high-density housing was encouraged for the neighborhood. Places where people live must support healthy lifestyles. The effects of light pollution are well documented¹. For this reason, the Department believes that the Interim Controls place appropriate limits to nighttime lighting. Further, the City has long regulated signage near parks. New parks are currently planned for the neighborhood, including a new 5.4-acre park called the City Park planned to be located atop the Transbay Transit Center. The Interim Controls effectively protect the aesthetics of planned parks by limiting the interferences of excessive signage.

In January 2016, City Staff met to discuss the requirements and implementation of the Interim Controls. The meeting included staff from the Planning Department, the Office of Community Investment and Infrastructure and, the Office of Economic and Workforce Development (OEWD). At this meeting, OEWD committed to conduct outreach. OEWD reports that they received no criticism or concern regarding the sign controls.

(3) The estimated time of completion of such study and proposed permanent legislation:

The study of potential permanent controls is complete. The Interim Controls have provided the public, stakeholders, and the Department with a trial period to review the controls. It is the Department's position that the controls are appropriate and should be adopted as permanent amendments to the Planning Code. The Department understands that Supervisor Kim's office is currently drafting permanent controls. These permanent controls can be introduced and become effective prior to the expiration of the extended interim controls.

REQUIRED BOARD ACTION

This Report is required to be considered in a public hearing duly noticed in accordance with the basic rules of the Board. The Board has the option of accepting or rejecting this report.

¹ Chepesiuk, Ron. "Missing the Dark: Health Effects of Light Pollution," Environ Health Perspect. 2009 Jan; 117(1): A20–A27. Retrieved from the US National Library of Medicine, National Institutes of Health at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2627884/> Retrieved on May 9, 2016.