

BOARD of SUPERVISORS



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March 12, 2019

**File No. 190245**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On March 5, 2019, Mayor London Breed introduced the following legislation:

**File No. 190245**

**Ordinance retroactively waiving the banner fees under Public Works Code, Section 184.78, for the placement of up to 300 banners per year, for three years, by the Office of Economic and Workforce Development to publicize the City's "Shop & Dine in the 49" campaign, beginning on November 20, 2018; and affirming the Planning Department's determination under the California Environmental Quality Act.**


This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

  
By: Linda Wong, Assistant Clerk  
Budget and Finance Sub-Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. The ordinance is waiving banner fees (Public Works Code Sect. 184.78) for banners part of Shop and Dine 49 program.  
4/5/2019 

1 [Waiver of Banner Fee - Retroactive - Office of Economic and Workforce Development - Shop  
2 & Dine in the 49 Campaign]

3 **Ordinance retroactively waiving the banner fees under Public Works Code, Section**  
4 **184.78, for the placement of up to 300 banners per year, for three years, by the Office of**  
5 **Economic and Workforce Development to publicize the City's "Shop & Dine in the 49"**  
6 **campaign, beginning on November 20, 2018; and affirming the Planning Department's**  
7 **determination under the California Environmental Quality Act.**

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

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

16 Section 1. Findings.

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

22 (b) Annually, in collaboration with Shop Small and San Francisco's Buy Local  
23 campaign, the Office of Economic and Workforce Development ("OEWD") coordinates the  
24 "Shop & Dine in the 49" campaign (the "Campaign") to promote local businesses and  
25 challenge residents to do their shopping and dining within San Francisco. To help publicize  
the Campaign in major merchant corridors, on November 20, 2018, OEWD began posting

1 banners publicizing the Campaign in major merchant corridors, subject to approval by San  
2 Francisco Public Works ("Public Works"). OEWD plans to remove and replace the banners  
3 no later than one year after posting them. Small Business Saturday, the annual marquee  
4 event of the Campaign aimed at promoting small businesses, took place on November 24,  
5 2018.

6 Section 2. Fee Waiver. The fees set forth in Public Works Code Section 184.78 shall  
7 be waived for OEWD for up to 300 banners posted per year on City-owned utility poles to  
8 publicize the Campaign in major merchant corridors commencing November 20, 2018 and  
9 concluding three years later, on November 19, 2021. All other provisions of Public Works  
10 Code Section 184.78 shall remain in full effect for the duration of the fee waiver period  
11 authorized in this ordinance.


12 Section 3. Effective Date; Retroactivity.

13 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs  
14 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
15 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
16 Mayor's veto of the ordinance.

17 (b) This ordinance shall be retroactive to November 20, 2018. Upon the effective date  
18 of this ordinance, Public Works shall be obligated to refund any fees collected pursuant to  
19 Public Works Code Section 184.78 prior to the effective date.

20  
21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By:

  
24 CHRISTOPHER T. TOM  
Deputy City Attorney

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