


BOARD of SUPERVISORS



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## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection

FROM:  Alisa Somera, Assistant Clerk, Board of Supervisors

DATE: February 1, 2016

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following **substitute** legislation, introduced by Supervisor Breed on January 26, 2016:

**File No. 151004-2**

Ordinance amending the Planning Code to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit District of up to 125 square feet in size, and up to 60 feet in height, with maximum height dependent on the features of the building to which the sign is attached, provided that only one sign per building is permitted; the sign is for the primary occupant of the building; the sign employs a remote transformer and is as narrow as is structurally feasible; any illumination is indirect and is used only during business hours; the sign does not obscure architectural features of the building; the sign does not damage the building to which it is attached; and the sign's lettering is arranged vertically; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings under Planning Code, Section 302, that this amendment will serve the public necessity, convenience, and welfare.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

cc: William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection

[Planning Code - Projecting Signs in the Fillmore Street Neighborhood Commercial Transit District]

**Ordinance amending the Planning Code to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit District of up to 125 square feet in size, and up to 60 feet in height, with maximum height dependent on the features of the building to which the sign is attached, provided that only one sign per building is permitted; the sign is for the primary occupant of the building; the sign employs a remote transformer and is as narrow as is structurally feasible; any illumination is indirect and is used only during business hours; the sign does not obscure architectural features of the building; the sign does not damage the building to which it is attached; and the sign’s lettering is arranged vertically; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings under Planning Code, Section 302, that this amendment will serve the public necessity, convenience, and welfare.**

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

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

1 Section 1. Findings.

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

7 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
8 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
9 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
10 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
11 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

12 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code  
13 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth  
14 in Planning Commission Resolution No. \_\_\_\_ and the Board incorporates such reasons  
15 herein by reference.

16  
17 Section 2. The Planning Code is hereby amended by revising Section 607.1, to read  
18 as follows:

19 **607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**  
20 **DISTRICTS.**

21 \* \* \* \*

22 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in  
23 all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set  
24 forth below.

25 \* \* \* \*

1 (2) RC, NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street,  
2 Outer Clement Street, Divisadero Street, Excelsior Outer Mission Street, Fillmore Street,  
3 Upper Fillmore Street, Folsom Street, Glen Park, Inner Sunset, Irving Street, Haight  
4 Street, Hayes-Gough, Judah Street, Upper Market Street, Noriega Street, North Beach,  
5 Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial District, Sacramento  
6 Street, SoMa, Taraval Street, Union Street, Valencia Street, 24th Street - Mission, 24th  
7 Street - Noe Valley, and West Portal Avenue Neighborhood Commercial Districts.

8 \* \* \* \*

9 (C) Projecting Signs.

10 (i) The number of projecting signs shall not exceed one per  
11 business. ~~The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The~~  
12 ~~height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the~~  
13 ~~height of the lowest of any residential windowsill on the wall to which the sign is attached, whichever is~~  
14 ~~lower.~~

15 (ii) No part of the sign shall project more than 75 percent of the  
16 horizontal distance from the street property line to the curblineline, or six feet six inches,  
17 whichever is less.

18 (iii) Except as provided for in subsection (v) below, such signs may  
19 be nonilluminated or indirectly illuminated; or during business hours, may be directly  
20 illuminated.

21 (iv) Except as provided for in subsection (v) below, the area of such sign,  
22 as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed  
23 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential  
24 windowsill on the wall to which the sign is attached, whichever is lowest.

1 (v) Within the Fillmore Street Neighborhood Commercial Transit  
2 District, one projecting business sign per building may exceed the size and height limits specified in  
3 subsection (iv) above, provided all of the following criteria are met:

4 a. The area of the sign, as defined in Section 602.1(a), does not  
5 exceed 125 square feet.

6 b. The height of the sign does not exceed the lowest of the  
7 following:

8 1. 60 feet;

9 2. the height of the wall to which it is attached;

10 3. the height of the lowest residential windowsill on the  
11 wall to which it is attached; or

12 4. the lowest portion of any architectural feature located  
13 along the roofline, such as a cornice.

14 c. The sign is for the primary occupant of the building.

15 d. The sign employs a remote transformer.

16 e. The sign is designed with a minimum profile to be as narrow as  
17 is structurally feasible.

18 f. Any illumination of the sign is indirect, such as by the use of  
19 halo-lit lettering, and such illumination is used only during business hours.

20 g. The lettering or other inscription is arranged in a vertical  
21 manner.

22 h. The sign does not alter, cover, or obscure any architectural  
23 features of the subject building, such as cornice lines or belt courses.

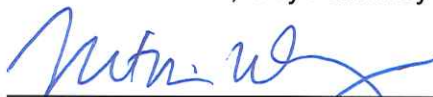
1 i. The sign is attached in a reversible manner, such that no  
2 damage or destruction to any exterior features or cladding materials shall occur as part of the sign's  
3 installation or removal.  
4

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:



20 VICTORIA WONG  
21 Deputy City Attorney

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