



# SAN FRANCISCO PLANNING DEPARTMENT

April 9, 2012

Supervisor Chiu and  
Ms. Angela Calvillo, Clerk  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**Re: Transmittal of Planning Case Number 2011.0533Z [Board File No.  
BF No. 11-0547: Zoning Map Amendments – Washington-Broadway  
Special Use District 1; Waterfront Special Use District 2 and 3; Special  
Districts for Sign Illumination; and Special Districts for Scenic Streets**

**Recommendation: Approval with Modifications**

Dear Supervisor Chiu and Ms. Calvillo,

On March 1, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinance under Board of Supervisors File Number 11-0547.

At the March 1st Hearing, the Commission voted 5-1 to recommend approval with modifications of Phase 1 of the proposed Ordinance, which adds the Embarcadero to the Scenic Street Sign District. At that hearing, the Commission requested that the Supervisor consider the implications of adding the Embarcadero to Scenic Street Special Sign District controls to large events held along the Embarcadero. Provide a provision to allow for temporary signs for large events along the Embarcadero, such as the America's Cup, and include a maximum duration for such temporary signs, so that they must be taken down after the event.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission. The attached resolution and exhibit provides more detail about the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "AnMarie Rodgers", followed by a horizontal line.

AnMarie Rodgers  
Manager of Legislative Affairs

Cc: City Attorney Judith Boyajian  
Attachments (one copy of the following):

-Planning Commission Resolution No. 18554  
-Case Report for case #2011.0533Z



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No 18554

HEARING DATE: MARCH 1, 2012

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

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*Project Name:* **Zoning Map Amendments – Washington-Broadway Special Use District 1; Waterfront Special Use District 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets**

*Case Number:* 2011.0533Z [Board File No. 11-0547]

*Initiated by:* Supervisor Chiu / Introduced May 3, 2011

*Staff Contact:* Aaron Starr, Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* **Recommend Approval with Modifications**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD AMEND SHEETS SU01, SS01, AND SS02 OF THE SAN FRANCISCO ZONING MAP TO: 1) ADD BLOCKS AND LOTS TO THE WASHINGTON-BROADWAY SPECIAL USE DISTRICT 1; 2) ADD BLOCKS TO THE WATERFRONT SPECIAL USE DISTRICT 2; 3) DELETE BLOCKS AND ADD LOTS TO THE WATERFRONT SPECIAL USE DISTRICT 3; 4) MAKE THE BOUNDARIES OF THE SPECIAL DISTRICT FOR SIGN ILLUMINATION ON BROADWAY CO-EXTENSIVE WITH THE BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT; 5) DELETE THE VAN NESS SPECIAL DISTRICT FOR SIGN ILLUMINATION; AND 6) ADD THE EMBARCADERO FROM TAYLOR STREET TO SECOND STREET TO THE SPECIAL DISTRICT FOR SCENIC STREETS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

### PREAMBLE

Whereas, on May 3, 2011, Supervisor Chiu introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-0547 which would amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign

Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1 ; and

Whereas, on October 20, 2012, December 15, 2011, February 9, 2012 and March 1, 2012 the San Francisco Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at regularly scheduled meeting to consider the proposed Ordinance; and

Whereas on February 8, 2012, the legislative sponsor, Board President David Chiu, sent the Commission a memorandum requesting that the Commission not consider certain topics from the proposed Ordinance as it is his intend to remove the following topics from the proposed Ordinance: proposed changes to Port Property and the expansion of the Waterfront Advisory Committee.

Whereas on March 1, 2012, the Planning Commission considered a portion of the proposed Ordinance herein referred to as "Phase One", covering the subject area of the Embarcadero Scenic Street Sign District; and

Whereas, the Commission requested that the next hearing consider the "Phase Two" topics of the same proposed Ordinance including the topics of changes to the Washington Broadway and Waterfront SUDs and the Van Ness Special Sign District for Illumination, and the Special District for Sign Illumination on Broadway; and

Whereas, the proposed map changes were determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines); and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

**MOVED**, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** the proposed ordinance. Specifically, the Commission recommends the following modifications:

1. Consider the implications of adding the Embarcadero to Scenic Street Special Sign District controls to large events held along the Embarcadero. Provide a provision to allow for temporary signs for large events along the Embarcadero, such as the America's Cup, and include a maximum duration for such temporary signs, so that they must be taken down after the event.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Embarcadero is a prominent street in San Francisco that would benefit from the added protections provided by the Scenic Street Sign district. However, some accommodation should be made for temporary events like the America's Cup.
2. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

### I. URBAN DESIGN ELEMENT

#### **OBJECTIVE 4**

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

#### **Policy 4.14**

Remove and obscure distracting and cluttering elements.

*The proposed legislation would add the Embarcadero to the Special District for Scenic Streets sign controls, which would help to reduce distracting and cluttering elements in the City.*

3. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:
  - A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The proposed legislation will not have a negative impact on neighborhood-serving retail.*
  - B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*The proposed legislation will help improve existing neighborhood character by helping to reduce visual clutter along the Embarcadero. The proposed legislation will also strengthen area plans by creating greater consistency between districts found in the General Plan and the Planning Code.*
  - C) The City's supply of affordable housing will be preserved and enhanced:

*The proposed Ordinance will have no adverse effect on the City's supply of affordable housing.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.*

- G) That landmark and historic buildings will be preserved:

*Landmarks and historic buildings would be unaffected by the proposed legislation.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The City's parks and open space and their access to sunlight and vistas would not be negatively impacted by the proposed legislation.*

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on March 1, 2012.

Linda Avery  
Commission Secretary

AYES: Commissioners Sugaya, Antonin, Miguel, Borden, Wu

NAYS: Commissioner Moore

ABSENT: none

RECUSED: Commissioner Fong

ADOPTED: March 1, 2012



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Zoning Map Amendment

INFORMATIONAL HEARING DATE: OCTOBER 20, 2011

PROPOSED RECOMMENDATION HEARING DATE: NOVEMBER 10, 2011

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

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*Project Name:* Zoning Map Amendments – Washington-Broadway Special Use District 1; Waterfront Special Use District 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets

*Case Number:* 2011.0533Z [Board File No. 11-0577]

*Initiated by:* Supervisor Chiu/ Introduced May 3, 2011

*Staff Contact:* Aaron Starr, Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6257

*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* **Informational Only**

### ZONING MAP AMENDMENT

This legislation is associated with Board File No. 11-0548, which changes text in the Planning Code associated with the changes to Zoning Map proposed under this legislation.

Amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. Please see the attached maps for specific boundaries.

### SPECIFIC CHANGES OF PROPOSED MAP CHANGE ORGANIZED BY TOPIC

Current controls are indicated with regular font; proposed changes and staff analysis are indicated in italic font.

#### Washington-Broadway Special Use Districts

There are two Washington-Broadway Special Use Districts, which are intended to address special traffic and parking considerations in these areas. Washington-Broadway Special Use District 1 covers portions of Chinatown and contains residential and neighborhood commercial zoning districts. Washington-Broadway Special Use District 2 includes lots that are zoned C-2 Zoning between Columbus Avenue and Front Street. Please see the attached map for the current boundaries. The only difference between the two districts is that SUD 2 allows wholesale establishments as a principle use.

*The proposed legislation would merge the two Washington-Broadway SUDs into one in order to simplify the Planning Code and remove redundant controls. The proposed legislation would also add additional contiguous parcel to the new SUD. Combining the SUDs would make Wholesale Establishments principally permitted in the entire district. However, the Washington Broadway SUD 1 contains residential and neighborhood commercial zoning districts that may not be compatible with Wholesale Establishments; therefore the Department is recommending in the companion legislation (Board File No. 11-0548) to remove the provision that allows Wholesale Establishments as of right in the proposed district. The C-2 Zoning District already principally permits Wholesale Establishments; therefore removing this provision will still allow Wholesale Establishments to operate in the area previously known as Washington-Broadway SUD 2.*

### **Waterfront Special Use Districts**

In 1978, the City established three Waterfront Special Use Districts in order to provide for certain areas with unique natural and man-made physical characteristics, distinct maritime character, special traffic, parking and use considerations, recognized development potential, and proximity to residential, public and commercial areas of regional, national and international significance which should be protected from adverse adjacent development. Please see the attached map for the current boundaries. The Code restricts some automotive uses in these districts like motels and gas stations, and permits other uses such as wholesale establishments.

The General Plan also identifies two subareas of the Northeast Waterfront that overlap with these three SUDs; the Fisherman's Warf Subarea and the Base of Telegraph Hill Subarea. Please see the attached map for the current boundaries.

Fisherman's Wharf Subarea contains portions of the Golden Gate National Recreation Area at Aquatic Park, Ghirardelli, the Cannery, Fish Alley and Pier 39. The General Plan contains specific objectives and polices for this area that seek to enhance its the maritime character and the commercial fishing industry, strengthen its water-oriented commercial and recreation uses, attract visitors and residents to the area and enhance the public amenities and open space, specifically as they relate to the waterfront.

For the Base of Telegraph Hill SUD, the General Plan states that a variety of land uses are appropriate, including hotel, residential, office and other commercial activities. New developments in this area should be designed to preserve and enhance the rich historic character of the subarea and, as appropriate, highlight access points to the nearby North Beach, Chinatown and Fisherman's Wharf districts. The area contains specific objectives and polices that include the preservation of the maritime character of the area, and the development of a diversity of activities that would strengthen the existing uses in the subarea but at an intensity which would provide a relief from downtown.

*The proposed legislation would amend Waterfront SUDs 2 and 3 so that they more closely corresponded to the Fisherman's Warf Subarea and the Base of Telegraph Hill Subarea respectively. The intent behind this is to provide more consistency in the policies and objectives outlined in the General Plan and controls identified in the Planning Code for those areas. The proposed change will not make a significant difference to the SUDs or the Subareas, and the Department is generally in favor of creating more consistency with the boundaries of the various districts when appropriate. The Department does recommend removing block 0035 from the Waterfront SUD3 and adding it to the Waterfront SUD2. Lot 0035 was recently added to the Fisherman's Warf Subarea so that the entire length of Bay Street, which acts as a gateway to the Fisherman's Warf Subarea would be included in the subarea.*

### **Broadway Special Sign District**

Per the Planning Code the Special Sign District for Illumination on Broadway includes the main commercial frontage of Broadway between west of Columbus Avenue and Osgood Place; however, the

Special Sign District Map (SS01) shows that the District extending past Columbus and into Chinatown all the way to Powell Street.

*The proposed legislation would amend Map SS01 so that it correctly corresponded with the description of the Sign District in the Code. It appears that the map was not changed when the Code language was changed.*

#### **Special Sign District on Van Ness**

Planning Code Section 607.3 establishes a Special Sign District on Van Ness Avenue that extends from Sacramento Street to Golden Gate Avenue. Among other provisions, the Special Sign District does not prohibit flashing or blinking signs and also permits General Advertising signs. New General Advertising Signs are prohibited throughout the City, but there is a process in the Planning Code that allows them to be moved to new locations.

*The proposed legislation would completely remove the Special Sign District on Van Ness Avenue. Sign Controls would revert to the underlying zoning, which is predominantly RC-4. RC-4 sign controls are being modified by companion legislation so that they are the same as Neighborhood Commercial District Sign Controls. The intent behind this change is to recognize the increase in the number of residential units along Van Ness Avenue and to prohibit signs that would conflict with its increased residential character.*

#### **Special Districts for Scenic Streets**

The Planning Code established a Special Sign District for Scenic streets that prohibits general advertising signs, and limits signs to a maximum of 200 square feet in area. This SSD includes streets such as Market Street, Portola Drive, Sunset Boulevard, the Great Highway and 19<sup>th</sup> Avenue to name a few. It does not currently include the Embarcadero.

*The proposed legislation would add the Embarcadero to the Special Sign District for Scenic Streets. The Department agrees that the Embarcadero is a street worthy of being included on this list; however there is some concern that adding the Embarcadero to this District will impact the ability for future events along the Embarcadero to install temporary signage, such as the America's Cup. The Department recommends looking at ways to allow for temporary signage along the Embarcadero to address these types of situations.*

### **REQUIRED COMMISSION ACTION**

No action is required today. The proposed Ordinance is before the Commission for informational purposes only. The Department will prepare complete recommendations for the Commission's next hearing, tentatively scheduled for November, 10 2011.

### **ENVIRONMENTAL REVIEW**

The proposed map changes were determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines).

### **PUBLIC COMMENT**

The Port of San Francisco contacted the Department about how the proposed project would affect their properties. The Port has concerns about how some of the proposed amendments would apply to land under the jurisdiction of the Port Commission, especially in the context of the Port Commission's duties and responsibilities under the San Francisco Charter and Burton Act. The Burton Act is the state legislation which promulgated the transfer of former State tidelands to the City and County of San Francisco. A more detailed response to the legislation will be coming from the Port in a separate letter.



<b>RECOMMENDATION:</b> <b>Recommendation of Approval with Modification</b>
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**Attachments:**

- Exhibit A:     Board of Supervisors File No. 11-0577
- Exhibit B:     Existing Conditions Map
- Exhibit C:     Proposed Conditions Map
- Exhibit D:     Fisherman's Warf Subarea and the Base of Telegraph Hill Subarea Map