



SAN FRANCISCO PLANNING DEPARTMENT

December 28, 2015

Ms. Angela Calvillo, Clerk
Honorable Supervisor Breed
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
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**Re: Transmittal of Planning Department Case Number 2015-013682PCA:
Projecting Signs in the Fillmore Street NCT District
Board File No. 151004
Planning Commission Recommendation: Approval with Modification**

Dear Ms. Calvillo and Supervisor Breed,

On December 17, 2015, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance, introduced by Supervisor Breed, to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit (NCT) 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. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

1. Require the sign to employ a remote transformer and that the sign is designed with a minimum profile to be narrow as structurally feasible.
2. Require the sign to have an indirect means of illumination during business hours, such as reverse halo-lit lettering.
3. Limit the proposed sign to one per building and only for the primary occupant of the building.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. 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 "Aaron Starr", with a long horizontal line extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc:

Victoria Wong, Deputy City Attorney
Conor Johnston, Aide to Supervisor Breed
Alisa Somera, Office of the Clerk of the Board

Attachments:

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment

HEARING DATE: DECEMBER 17, 2015
90-DAY EXPIRATION: JANUARY 11, 2016

Project Name: Projecting Signs in the Fillmore Street NCT District
Case Number: 2015-013682PCA [Board File No. 151004]
Initiated by: Supervisor Breed / Introduced October 6, 2015
Staff Contact: Aaron Starr, Manager of Legislative Affairs
Aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Recommend Approval with Modifications**

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PLANNING CODE AMENDMENT

Ordinance amending the Planning Code to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit (NCT) 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 the sign may 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.

The Way It Is Now:

Planning Code Section 607.1 limits the size of a Projecting Business Signs in the Fillmore Street NCT District to 24 square feet. The height of Projecting Business Signs cannot exceed 24 feet, the height of the wall to which it is attached, or the height of the lowest of any residential windowsill on the wall to which the sign is attached, whichever is lowest. Projecting Business Signs may only project 75 percent of the horizontal distance from the street property line to the curb line, or six feet six inches, whichever is less. Projecting Business Signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

The Way It Would Be:

Within the Fillmore Street NCT District, the size and height limits for Projecting Business Signs specified above may be exceeded, provided all of the following criteria are met:

1. The lettering or other inscription is arranged in a vertical manner.
2. The area of the sign as defined in Section 602.1(a) does not exceed 125 square feet.
3. The height of the sign does not exceed the lowest of the following:
 - 60 feet;
 - the height of the wall to which it is attached;
 - the height of the lowest residential windowsill on the wall to which it is attached; or
 - the lowest portion of any architectural feature located along the roofline, such as a cornice.

4. The sign does not alter, cover, or obscure any architectural features of the subject building, such as cornice lines or belt courses.
5. The sign is attached in a reversible manner such that no damage or destruction to any exterior features or cladding materials shall occur as part of the sign's installation or removal.

The projection and illumination controls stated above would still apply to these new Projecting Business Signs.

BACKGROUND



The proposed ordinance was drafted in order to allow the Fillmore Auditorium, located at 1805 Geary Blvd., to add a new blade sign (See Exhibit B); however other businesses in the Fillmore NC District would be able to take advantage of the ordinance provided that they met the strict criteria for adding the sign to their building.

The Fillmore is one of the more historic music venues in San Francisco, made famous by Bill Graham. It is not a designated City Landmark, but would likely be considered a historic resource for

the purposes of CEQA. Originally named the Majestic Hall, it became the Fillmore Auditorium in 1954 when Charles Sullivan acquired the master lease and renamed it for the neighborhood. It is situated in the historical center of the Western Addition neighborhood, on the edge of the Fillmore NCT District and Upper Fillmore Neighborhood Commercial (NC) District. From the 1930s through the '60s, before redevelopment, this location was considered the heart of the San Francisco Fillmore District.¹

In the mid-1960s, the Fillmore Auditorium became the focal point for psychedelic music and counterculture in general, with such acts as The Grateful Dead, The Steve Miller Band, Jefferson Airplane, Quicksilver Messenger Service, The Doors, Jimi Hendrix Experience, The Byrds, Big Brother and the Holding Company, Santana, Frank Zappa's The Mothers of Invention, The Allman Brothers Band, Creedence Clearwater Revival, and British acts The Who, Cream, Led Zeppelin, and Pink Floyd all performing at the venue. Besides rock, Bill Graham also featured non-rock acts such as Lenny Bruce, Miles Davis, Rahsaan Roland Kirk, Charles Lloyd, Aretha Franklin, and Otis Redding as well as poetry readings. The Grateful Dead were regulars at The Fillmore, having played a total of 51 concerts from 1965 through 1969.²

¹ The Fillmore. In *Wikipedia*. Retrieved December 8, 2015, from https://en.wikipedia.org/wiki/The_Fillmore.

² Ibid

Since the Fillmore was originally a dance hall, it did not originally have a marquee sign. Had the Fillmore had a historic marquee and had been used a movie theater, it would have been able to take advantage of Planning Code Section 188, which allows for the reconstruction and retention of historic movie theater marquee signs. The current sign on the Fillmore complies with the existing zoning laws, but is awkwardly placed on the building and does not complement the building's architecture or form. The proposed ordinance would allow a marquee sign at the corner of the building that is harmonious with the buildings architecture and its current use. The existing box-lit "Check Cashing" sign would also be removed to make way for the new marquee sign.

ISSUES AND CONSIDERATIONS

Existing Controls vs. Proposed

The proposed new signs would have the same limitations on projections into the public right-of-way and illumination as standard projecting signs. Where the controls differ is in the allowable area of the sign (24 sq. ft. existing verses 125 sq. ft. proposed), and the maximum allowable height of the sign (24 feet existing verses 60 feet proposed). The new controls also have many more restrictions on where the sign can be placed and how it can be attached to the building. Our existing sign controls do not go into this level of detail.

Concerns over Historic Resources

While the Fillmore Auditorium is not a designated City Landmark per Article 10 of the Planning Code, it would likely be considered a historic resource for the purposes of CEQA. Currently the building has a B rating, which means it is a potential historic resource. Additional notes in the Department's records indicate that it could become eligible for National Register with restoration. Regardless of the building's current status, the proposed sign controls seek to ensure that any sign approved under these new provisions respect the architectural character of the building in the following ways: by prohibiting the projection over the existing roofline, or cornice; not allowing the alteration, or cover of any architectural features such as belt courses; and the sign needs to be attached in a reversible manner such that no damage or destruction to any of the building's exterior features.

60 Foot Height Limit

Currently, there are no buildings in the Fillmore NCT District that would be able to use the 60 foot maximum in the propose Ordinance. Some buildings are taller than 60 feet, but in those instances the signs would not be able to extend above the second floor due to the residential units above. Further, the majority of the buildings in the Fillmore NCT District are zoned for lower than 60 feet in height. The 60 foot height limit was included in the proposed controls solely to provide a maximum cap on sign height should the building height and residential units not limit the height of the sign sometime in the future. The 60 foot limit was taken from the sign controls for the Market Street Special Sign District in Section 608.8, which allows vertically oriented signs at maximum height of 60 feet.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

RECOMMENDATION

The Department recommends that the Commission recommend *approval with modifications* of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department proposed the following recommendations:

1. Require the sign to employ a remote transformer and that the sign is designed with a minimum profile to be narrow as structurally feasible.
2. Require the sign to have an indirect means of illumination during business hours, such as reserve halo-lit lettering.
3. Limit the proposed sign to one per building and only for the primary occupant of the building.

BASIS FOR RECOMMENDATION

Staff supports the proposed ordinance because it expands the Fillmore NC District's sign controls in a thoughtful way so that they are more flexible for both existing and future businesses; however, staff believes that the Ordinance should be further refined to ensure that the signs are not too thick, that they are of high quality, and that there will only be one per business.

Recommendation 1: Require the sign to employ a remote transformer and that the sign is designed with a minimum profile to be narrow as structurally feasible.

The proposed Fillmore Auditorium sign would be 20 inches wide. Staff believes that this is too thick for this type of sign and has asked the applicant to look at ways of reducing its thickness. One way to achieve this is to use a remote transformer for the lights, meaning the transformer would be placed in the building and not within the sign reducing its thickness.

Recommendation 2: Require the sign to have an indirect means of illumination during business hours, such as reserve halo-lit lettering.

Staff wants to ensure that these new signs are not internally lit box signs; this recommendation will ensure that these signs are appropriately lit and of high quality. Halo lit letters are letters where the light emanates from behind the letters creating a halo effect, and not from the front of the letters, which often produces a garish and distracting light.

Recommendation 3: Limit the proposed sign to one per building and only for the primary occupant of the building.

Currently, the definition of a Business Sign includes a provision that the sign must be located on the premises of the business, meaning that a sign can only cover the portion of the building where the business is located. In the case of the Fillmore Auditorium, only the Fillmore could have the proposed projecting sign since it is the only tenant that occupies the upper floors of the building. However, as the ordinance is written, there could be a situation where another business that was not the primary tenant would be able to add a larger projecting signs. With this recommendation, Staff wants to ensure that there will only be one of these larger projecting signs per building and that only the primary tenant would be able to erect such a sign.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

RECOMMENDATION: Recommendation of Approval with Modification
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Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Proposed Fillmore Blade Sign
- Exhibit C: Board of Supervisors File No. 151004



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19536

HEARING DATE DECEMBER 17, 2015

Project Name: Projecting Signs in the Fillmore Street NCT District
Case Number: 2015-013682PCA [Board File No. 151004]
Initiated by: Supervisor Breed / Introduced October 6, 2015
Staff Contact: Aaron Starr, Manager of Legislative Affairs
Aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Recommend Approval with Modifications**

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ALLOW PROJECTING BUSINESS SIGNS IN THE FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT (NCT) 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 THE SIGN MAY 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.; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on October 6, 2015 Supervisors Breed introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 151004, which would amend the Planning Code to allow projecting business signs in the Fillmore Street Neighborhood Commercial Transit (NCT) 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 the sign may 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; and

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on December 17, 2015; and

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c) and 15378; and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, 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 Planning 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. The Commission's proposed modifications are as follows:

1. Require the sign to employ a remote transformer and that the sign is designed with a minimum profile to be narrow as structurally feasible.
2. Require the sign to have an indirect means of illumination during business hours, such as reverse halo-lit lettering.
3. Limit the proposed sign to one per building and only for the primary occupant of the building.

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 Commission supports the proposed ordinance because it expands the Fillmore NC District's sign controls in a thoughtful way so that they are more flexible for both existing and future businesses; however, the Commission finds that the Ordinance should be further refined to ensure that the signs are not too thick, that they are of high quality, and that there will only be one per business.
2. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.5

Emphasize the special nature of each district through distinctive landscaping and other features.

Policy 1.8

Increase the visibility of major destination areas and other points for orientation.

The Fillmore Auditorium is a major destination point in the Fillmore neighborhood as well as the City. It is also a unique feature of the Fillmore neighborhood. Adopting this ordinance will allow the Fillmore Auditorium as well as other major destination in the Fillmore NCT District to add a new sign that will increase its visibility and emphasize its special nature.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

The proposed Ordinance has been drafted to ensure that any new sign allowed by this Ordinance will not obscure significant architectural features of historic buildings, and that it will instead enhance the original character of the building.

OBJECTIVE 4

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

Policy 4.6

Emphasize the importance of local centers providing commercial and government services.

The proposed Ordinance will allow the significant businesses and services in the district to install signs that will emphasize their importance as centers for commercial and governmental activity

3. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing and would help enhance existing neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

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

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The Ordinance has been drafted to ensure that any new sign proposed under this Ordinance would respect the significant architectural features of the building and not damage any exterior cladding material.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

- 8. Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with modifications as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on December 17, 2015

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Johnson, Moore, Richards, and Wu

NOES: none

ABSENT: Commissioner Hillis

ADOPTED: December 17, 2015