

1 [Planning Code - Tenderloin Neon Special Sign District]

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3 **Ordinance amending the Planning Code to create the Tenderloin Neon Special Sign**
4 **District within the North of Market Residential Special Use District; enacting zoning**
5 **controls for neon signs within the Special Sign District; amending Sheet SS01 of the**
6 **Zoning Map to show the Tenderloin Neon Special Sign District; affirming the Planning**
7 **Department’s determination under the California Environmental Quality Act; and**
8 **making findings of consistency with the General Plan, and the eight priority policies of**
9 **Planning Code, Section 101.1, and public necessity, convenience, and welfare findings**
10 **pursuant to Planning Code, Section 302.**

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

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

19 Section 1. Environmental and Planning Code Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 220643 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On August 25, 2022, the Planning Commission, in Resolution No. 211262, adopted
findings that the actions contemplated in this ordinance are consistent, on balance, with the

1 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
2 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
3 Board of Supervisors in File No. 220643, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
5 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
6 Planning Commission Resolution No. 211262.

7
8 Section 2. The Planning Code is hereby amended by revising Sections 249.5, 602,
9 and 608, to read as follows:

10 **SEC. 249.5. NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT.**

11 (a) **General.** A special use district entitled the "North of Market Residential Special
12 Use District," which includes RC-4 and P Use Districts, the boundaries of which are shown on
13 Sectional Map No. SU01 of the Zoning Map of the City and County of San Francisco, is
14 hereby established for the purposes set forth below.

15 (b) **Purposes.** In order to protect and enhance important housing resources in an
16 area near downtown, conserve and upgrade existing low and moderate income housing stock,
17 preserve buildings of architectural and historic importance and preserve the existing scale of
18 development, maintain sunlight in public spaces, encourage new infill housing at a compatible
19 density, limit the development of tourist hotels and other commercial uses that could
20 adversely impact the residential nature of the area, ~~and~~ limit the number of commercial
21 establishments which are not intended primarily for customers who are residents of the area,
22 and support neighborhood vitality and character, the following controls are imposed in the North
23 of Market Residential Special Use District.

1 (c) **Controls.** The following zoning controls are applicable in the North of Market
2 Residential Special Use District. Certain controls are set forth in other Sections of this Code
3 and are referenced herein.

4 * * * *

5 (11) Tenderloin Neon Special Sign District.

6 (A) There shall be a special sign district known as the "Tenderloin Neon Special
7 Sign District," with the same boundaries as the North of Market Residential Special Use District, as
8 such boundaries may be amended from time to time.

9 (B) Within the Tenderloin Neon Special Sign District, Neon Business ~~or~~
10 Identifying Signs are permitted, provided that they meet the requirements below. Terms defined in
11 Article 6 and used herein shall have the meanings specified in Article 6.

12 (i) Where a Business ~~or~~ Identifying Sign is permitted pursuant to Article
13 6, such Business ~~or~~ Identifying Sign may be, but is not required to be, a Neon Sign.

14 (ii) A Neon Business Sign shall not exceed 24 square feet in area,
15 except as specified herein.

16 (iii) (ii) For a Residential Hotel, a Neon ~~Business~~ Identifying Sign must
17 satisfy either of the following dimensional requirements:

18 a. a Sign that is not a ~~blade sign~~ projecting Sign shall not
19 exceed 40 square feet in area; or

20 b. the dimensions of a ~~blade~~ projecting Sign shall not exceed
21 25 feet in height and 5 feet in width.

22 (iv) (iii) A Neon ~~Business~~ Sign may not have any physically moving
23 parts.

24 (v) (iv) A Neon ~~Business~~ Sign may not include flashing or blinking
25 features, except that such Signs may include animated features.

1 (vi) (v) Neon Business Signs shall be subject to any design guidelines
2 standards adopted by the Planning Commission, which shall promote compatibility of Neon Signs with
3 the aesthetics and historic character of the surrounding neighborhood.

4 (vi) A nonconforming Neon Sign may be physically detached from
5 the building for any required off-site repairs and maintenance, except that such maintenance
6 and repairs shall not include replacement, alteration, reconstruction, relocation, intensification,
7 or expansion of the Neon Sign. After the off-site repair and maintenance work is complete, the
8 Neon Sign may be reinstalled at the premises in the same location where the Neon Sign was
9 previously affixed.

10 (C) Signs permitted pursuant to this subsection (c)(11) shall be subject to all
11 other provisions of the Planning Code, as may be amended from time to time, except as specified in this
12 Section 249.5.

13 * * * *

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15 **SEC. 602. SIGN DEFINITIONS.**

16 * * * *

17 **Nameplate.** A sign affixed flat against a wall of a building and serving to designate only
18 the name or the name and professional occupation of a person or persons residing in or
19 occupying space in such building.

20 **Neon Sign.** A Sign that is illuminated through the use of noble gas in a vacuum-sealed glass
21 tube.

22 **Nonilluminated Sign.** A Sign which is not illuminated, either directly or indirectly.

23 * * * *

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25 **SEC. 608. SPECIAL SIGN DISTRICTS AND SIGNS IN SPECIAL USE DISTRICTS.**

1 * * * *

2 (b) **Signs in Special Use Districts.** The following Special Use Districts have sign
3 controls specific to the district:

4 * * * *

5 (3) Sec. 249.5. North of Market Residential Special Use District.

6 Section 3. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet SS01 of
7 the Zoning Map of the City and County of San Francisco is hereby amended, as follows:

8

| <u>Description of Property</u> | <u>Sign District Hereby Approved</u> |
|---|--|
| <u>All real property within the boundaries of the</u> <u>North of Market Residential Special Use</u> <u>District, as shown on Sectional Map No.</u> <u>SU01 of the Zoning Map of the City and</u> <u>County of San Francisco, as such</u> <u>boundaries may be amended from time to</u> <u>time</u> | <u>Tenderloin Neon Special Sign District</u> |

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18 Section 34. **Effective Date.** This ordinance shall become effective 30 days after
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
21 of Supervisors overrides the Mayor's veto of the ordinance.

22

23 Section 45. **Scope of Ordinance.** In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Planning

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Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Giulia Gualco-Nelson
GIULIA GUALCO-NELSON
Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220643

Date Passed: September 27, 2022

Ordinance amending the Planning Code to create the Tenderloin Neon Special Sign District within the North of Market Residential Special Use District; enacting zoning controls for neon signs within the Special Sign District; amending Sheet SS01 of the Zoning Map to show the Tenderloin Neon Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and welfare findings pursuant to Planning Code, Section 302.

September 12, 2022 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 12, 2022 Land Use and Transportation Committee - CONTINUED AS AMENDED

September 19, 2022 Land Use and Transportation Committee - RECOMMENDED AS COMMITTEE REPORT

September 20, 2022 Board of Supervisors - PASSED ON FIRST READING


Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

September 27, 2022 Board of Supervisors - FINALLY PASSED

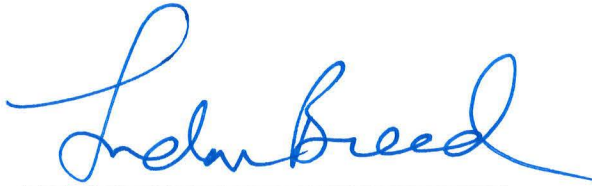
Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220643

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/27/2022 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

10/6/22

Date Approved