

## **LEGISLATIVE DIGEST**

[Planning Code - Limited Commercial Uses; Signs, Awnings, and Canopies]

**Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 602.25, 602.26, 607.3, 607.4, 608.10, 790.20, 790.26, 790.58, 890.21, 890.24, and 890.58, and amending Sections 136, 136.1, 186, 188, 249.5, 262, 602.3, 602.9, 602.24, 604, 606, 607, 607.1, 607.2, 608.6, 608.8, 609.8, and various sections of Articles 7 and 8 of the Planning Code, to: 1) allow reactivation of lapsed limited commercial uses in Residential Districts with Conditional Use authorization; and 2) create sign and awning controls for Limited Commercial Uses; 3) revise and consolidate sign, awning, canopy and marquee controls in specified zoning districts; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.**

### Existing Law

The Planning Code currently does not allow lapsed Limited Commercial Uses (LCUs) to be reactivated once that use has been abandoned.

Planning Code Section 136.1 currently provides that awnings cannot be less than eight feet above the finished grade and no portion of any awning shall be higher than the windowsill level of the lowest story exclusive of the ground story and mezzanine, provided that no such awning shall in any case exceed a height of 16 feet or the roofline of the building to which it is attached, whichever is lower.

Article 6 of the Planning Code currently allows nonconforming signs to exist until the end of the sign's normal life. The signs for LCUs are currently regulated by the sign requirements in Residential Districts. Roof signs are permitted in all C, M and PDR Districts so long as they conform to a list of specific criteria; gas station signs can project 10 feet above the roof line. Signs in RC Districts are regulated under Section 606, which also regulates all signs in Residential Districts.

The Embarcadero is not included in the list for the Scenic Street Special Sign District. These controls prohibit general advertising signs and signs exceeding 200 square feet in area on any portion of a property that is within 200 feet of any street included on this list. New general advertising signs are banned in the City but existing general advertising signs can be moved to other areas of the City, including The Embarcadero, with approval from the Planning Commission and Board of Supervisors.

### Amendments to Current Law

The Planning Code has been amended to allow lapsed LCUs to be reinstated with Conditional Use Authorization so long as (1) the space is located on or below the ground floor and was in commercial or industrial use prior to January 1, 1960, and (2) the proposed commercial use meets all other Code requirements. New requirements for signs LCUs are modeled after NC-1 controls, which has similar intensity and use types. Roof signs would be prohibited in all C Districts, including the C-3 Downtown Districts and the C-2 Districts, which are generally located along the northeast waterfront and Stonestown Mall; gas station signs that are attached to the building can no longer project above the roof line.

The existing regulations for awnings, signs and canopies would still apply. In addition, awnings would not be able to extend above the bottom of projecting upper-story window bays, or cover and belt cornice or horizontal molding. And where piers or columns define individual store front bays, an awning may not cover such piers or columns.

Nonconforming signs would have to be brought into conformance when the operation ceases, moves to another location, when a new building is constructed, or at the end of the sign's natural life. In addition, signs would also be required to be removed within 90 days of the business going out of business.

Signs in RC Districts would be regulated by the controls in Section 607.1, which currently regulates signs in NC Districts.

The Embarcadero would be included in the list for Scenic Street Special Sign District controls. Once on the list, signs on The Embarcadero would be restricted to 200 square feet and general advertising signs would be prohibited.

### Background Information

The Planning Department believes that allowing Limited Commercial Uses to be reinstated through the Conditional Use process will provide a clearer and more direct process for property owners who wish to do so. This change will also provide greater convenience for residents by placing more goods and services closer to where they live, which is a hallmark and benefit of living in a dense urban environment.

The existing sign, awning and canopy controls are unnecessarily complicated. Providing consistency in these regulations is a much needed change.

Requiring nonconforming signs to be brought into conformance or removed under specified circumstances will help to phase out signs that no longer comply with Code requirements and will give the Department more authority to require the removal of abandoned signs. Roof signs create visual clutter and add height to buildings; since freestanding signs for gas stations can

already project above the roof line, there is no need to continue allowing the exception for gas stations.

The RC Districts include some of San Francisco's densest neighborhoods, such as the Tenderloin and areas along Van Ness Avenue. The proposed amendment is intended to rationalize the sign controls by making them consistent throughout the City's mixed use districts.