

1 [Administrative, Planning Codes - Digital Light Displays on the East Façade of City Hall]

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3 **Ordinance amending the Administrative and Planning Codes to allow City-approved**
 4 **digitally projected light displays on the east façade of City Hall; affirming the Planning**
 5 **Department’s determination under the California Environmental Quality Act; making**
 6 **findings of public necessity, convenience, and welfare; and making findings of**
 7 **consistency with the General Plan, and the eight priority policies of Planning Code,**
 8 **Section 101.1.**

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

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

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Section 1. Environmental and Land Use Findings.

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(a) The Planning Department has determined that the actions contemplated in this

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ordinance comply with the California Environmental Quality Act (California Public Resources

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Code Sections 21000 *et seq.*). Said determination is on file with the Clerk of the Board of

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Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this

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determination.

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(b) On _____, the Planning Commission, in Resolution No. _____,

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adopted findings that the actions contemplated in this ordinance are consistent, on balance,

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with the General Plan of the City and County of San Francisco (“City”) and eight priority

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policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy

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1 of said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____,
2 and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
4 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
5 in Planning Commission Resolution No. _____ and the Board incorporates such reasons
6 herein by reference.

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8 Section 2. Additional Findings.

9 (a) The City has long displayed flags and banners on the east façade of City Hall to
10 foster civic pride, promote City events, acknowledge supporters of City events, and convey
11 other governmental messages.

12 (b) Technology is now available to modernize this practice by projecting digital light
13 displays on the east façade of City Hall, including both moving and still images.

14 (c) Digital light displays on the east façade of City Hall will enable the City to more
15 effectively convey its messages to City residents, visitors to the City, and other members of
16 the general public who may view the displays in-person or remotely by video recording or
17 broadcasting.

18 (d) City Hall is the nerve center of City government. Housed within its walls are the
19 offices of the Mayor, members of the Board of Supervisors, and several other elected City
20 officials, as well as the Board's legislative chamber and numerous City departments. As the
21 seat of local government in San Francisco, City Hall is the principal civic monument of the
22 City, and its status as the most prominent symbol of City government is enhanced by its
23 distinctive architecture and 100-year history. Accordingly, the public will strongly associate
24 the digital light displays on the east façade of City Hall with City government, just as the public
25 views the flags and banners periodically affixed to the east façade of City Hall.

1 (e) Given the unique importance of City Hall as a symbol of City government, the City
2 intends to preserve the east façade of City Hall as a space for City-approved government
3 speech. By enacting this ordinance, the City is not opening the east façade of City Hall as a
4 public forum or nonpublic forum for non-governmental speech. Nor is the City opening the
5 east façade of City Hall to general advertising signs, as that term is defined in Article 6 of the
6 Planning Code.

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8 Section 3. The Administrative Code is hereby amended by adding Section 4.1-1, as
9 follows:

10 **SECTION 4.1-1. DIGITAL LIGHT DISPLAYS ON THE EAST FAÇADE OF CITY HALL.**

11 Displays consisting exclusively of projected or emitted light shall be permitted on the east
12 façade of City Hall, where all of the following requirements are met:

13 (a) the display shall be approved by the City Administrator or his or her designee and shall
14 comply with all rules and regulations prescribed by the Director of Administrative Services, pursuant
15 to the Director's authority under Section 4.1 of the Administrative Code;

16 (b) the display shall present a message or image that the City wishes to communicate and may
17 include, without limitation, an acknowledgment or celebration of a City-sponsored event, a City-funded
18 event, or any other special event or occasion;

19 (c) the display shall not extend above the maximum height of the pediment on the east façade of
20 City Hall;

21 (d) the display shall not involve the attachment or placement of any permanent or temporary
22 material on or against City Hall; and

23 (e) in accordance with Section 4.20-1 of the Administrative Code, the display shall not be a
24 general advertising sign.

1 Section 4. The Planning Code is hereby amended by revising Section 603, to read as
2 follows:

3 **SEC. 603. EXEMPTED SIGNS.**

4 Nothing in this Article 6 shall apply to any of the following signs:

5 * * * *

6 (p) Signs consisting solely of digital light displays on the east façade of City Hall, as provided
7 by Section 4.1-1 of the Administrative Code.

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9 Section 5. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

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14 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

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21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 VICTORIA WONG
25 Deputy City Attorney

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