

File No. 170941 Committee Item No. 4  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
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Committee: Land Use and Transportation Committee Date October 16, 2017

Board of Supervisors Meeting Date \_\_\_\_\_  
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Completed by: Erica Major Date October 12, 2017  
Completed by: Erica Major Date \_\_\_\_\_

1 [Planning Code, Zoning Map - Transit Center Special Sign District]

2  
3 **Ordinance amending the Planning Code to create the Transit Center Special Sign**  
4 **District (bounded by Market Street on the north, Folsom Street on the south, Steuart**  
5 **Street on the east, and between New Montgomery and Third Streets on the west, and in**  
6 **the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the**  
7 **planned City Park between Mission, Howard, Second, and Beale Streets and those**  
8 **portions of the Transit Center District Plan Area included in Zone 1 of the Transbay**  
9 **Redevelopment Plan Area, which include portions of land bounded by Spear, Mission,**  
10 **Folsom, and Second Streets), to restrict the size and height of new signs within 200**  
11 **feet of and visible from an existing or planned public park or open space, and to**  
12 **restrict illumination of certain new signs in those areas; amending the Zoning Map to**  
13 **show the Transit Center Special Sign District; affirming the Planning Department's**  
14 **determination under the California Environmental Quality Act; making findings of**  
15 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
16 **Section 101.1; and making a finding of public necessity, convenience, and welfare**  
17 **pursuant to Planning Code, Section 302.**

18 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.  
19 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
20 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
21 **Board amendment additions** are in double-underlined Arial font.  
22 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
23 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
24 subsections or parts of tables.

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

Section 1. Findings.

1 (a) The Planning Department has determined that the actions contemplated in this  
2 ordinance comply with the California Environmental Quality Act (California Public Resources  
3 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
4 Supervisors in File No. 170941 and is incorporated herein by reference. The Board affirms  
5 this determination.

6 (b) On September 14, 2017, the Planning Commission, in Resolution No. 19993,  
7 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
8 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
9 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
10 the Board of Supervisors in File No. 170941, and is incorporated herein by reference.

11 (c) On September 14, 2017, the Planning Commission, in Resolution No. 19993,  
12 approved this ordinance, recommended it for adoption by the Board of Supervisors, and  
13 adopted findings that it will serve the public necessity, convenience, and welfare. Pursuant to  
14 Planning Code Section 302, the Board adopts these findings as its own. A copy of said  
15 Resolution is on file with the Clerk of the Board of Supervisors in File No. 170941, and is  
16 incorporated herein by reference.

17  
18 Section 2. The Planning Code is hereby amended by adding Section 608.4, to read as  
19 follows:

20 **SEC. 608.4. TRANSIT CENTER SPECIAL SIGN DISTRICT.**

21 **(a) General. There shall be a Special Sign District known as the "Transit Center Special**  
22 **Sign District" in the area bounded by Market Street on the north, Folsom Street on the south, Stuart**  
23 **Street on the east, and between New Montgomery and Third Streets on the west, and in the area**  
24 **bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between**  
25 **Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan**

1 Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land  
2 bounded by Spear, Mission, Folsom, and Second Streets, as designated on Sectional Map SSD of the  
3 Zoning Map of the City and County of San Francisco. The original copy of said Sectional Map with  
4 this Special Sign District indicated thereon is on file with the Clerk of the Board of Supervisors in File  
5 No 170941.

6 (b) **Purpose and Findings.** In addition to the purposes stated in Sections 101 and 601 of  
7 this Code, the following purposes apply to the Transit Center Special Sign District. These purposes  
8 constitute findings that form a basis for these regulations and provide guidance for their application.

9 (1) A new 5.4-acre park called the City Park (which in its early stages of planning  
10 was known as the Rooftop Park) is planned to be located atop the Transbay Transit Center, which will  
11 be located between Mission and Howard Streets on the north and south, respectively, and between  
12 Second and Beale Streets on the west and east, respectively. The City Park will include an outdoor  
13 amphitheater, gardens, trails, open grass areas, a children's play space, a restaurant, and a café, and  
14 will be accessible from 10 entry points, including bridges from neighboring buildings and a gondola  
15 from a planned ground-level floor of the Transbay Transit Center off Mission Street between the  
16 planned Salesforce Tower and Fremont Street, to be known as Mission Square. and the City Park will  
17 provide needed open space in an area of the City with few parks.

18 (2) The Under Ramp Park is a new 4.2-acre neighborhood park planned to be  
19 situated primarily under the elevated bus ramp that will provide a direct connection from the new  
20 Transbay Transit Center to the San Francisco-Oakland Bay Bridge, but approximately 25% of the park  
21 will be open to the sky. The Under Ramp Park will include a children's play area, cafés, and terraces,  
22 a beer garden, and a multilevel pavilion with cultural and retail programs. The area between Folsom,  
23 Harrison, Essex, and Second Streets is adjacent to the planned site of the Under Ramp Park.

24 (3) Illuminated signs and other signs visible from a public park or privately owned  
25 public open space (POPOS) may negatively impact the aesthetics of the park or POPOS and the

1 enjoyment of its users by, among other things, interfering with the natural scenery and landscape  
2 afforded by the park or POPOS, as well as creating unwanted illumination and glare.

3 (4) Evening and nighttime illumination of signs in the Plan Area would disturb the  
4 sleep of residents in the area and disrupt their general enjoyment of their homes.

5 (c) Controls.

6 (1) Illumination for any new sign that is located in the Transit Center Special Sign  
7 District, where any part of the face of the sign is over 35 feet in height, as defined in Section 602, shall  
8 meet the following requirements:

9 (A) the sign's illumination shall be dimmable; and,

10 (B) all illumination shall be turned off from 11:00 p.m. each evening until 6:00  
11 a.m. the following morning.

12 (2) Except as specified in subsection (c)(3) below, a new sign that is within 200 feet of  
13 an existing or planned public park or within 200 feet of a POPOS of 1/4 acre or greater, and that is  
14 visible from such a park or POPOS shall be permitted if it is 50 square feet or less and its highest point  
15 reaches a height of 35 feet or less, as defined in Section 602.

16 (3) A new Business Sign, as defined in Section 602, that is within 200 feet of the City  
17 Park and is visible from the City Park shall only be permitted if it meets the following requirements:

18 (A) If the new Business Sign is located on the façade of a building directly  
19 abutting or with a pedestrian connection to the City Park,

20 (i) the sign shall consist of only metal lettering raised off the façade of the  
21 building to which it is attached, with a maximum vertical dimension of 30 inches and a total maximum  
22 area of 50 square feet;

23 (ii) the highest point of the sign shall reach a height of 15 feet or less  
24 from the nearest finished ground plane of the City Park; and,

1 (iii) the sign's illumination shall consist only of indirect illumination,  
 2 pursuant to Section 602 of this Code, including but not limited to halo-style lighting.

3 (B) If the new Business Sign is not located on the facade of a building directly  
 4 abutting or with a pedestrian connection to the City Park, the sign shall comply with Section 607 of this  
 5 Code.

6  
 7 Section 3. The Planning Code is hereby amended by revising Sectional Map SSD of  
 8 the Zoning Map of the City and County of San Francisco, as follows:

<u>Description of Property</u>		<u>Sign District Hereby Approved</u>
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Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By:   
ROBB W. KAPLA  
Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Planning Code, Zoning Map - Transit Center Special Sign District]

**Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.**

Existing Law

The parcels that would be subject to the proposed Transit Center Special Sign District are currently subject to the applicable provisions of Article 6 of the Planning Code.

Interim Controls

On November 3, 2015, the Board adopted Resolution No. 418-15, instituting interim controls for the area within the proposed Transit Center Special Sign District.

The interim controls required that (1) all illuminated signs that are over 35 feet in height are dimmable and are turned off between 11:00 p.m. in the evening and 6:00 a.m. the following morning; (2) new signs within 200 feet of parks or privately owned public open space areas ("POPOS") must be less than 50 square feet and lower than 35 feet high; and (3) instituting size, illumination, and height requirements for new business signs within 200 feet of City Park (the park above the Transbay Center). On July 11, 2017, the Board adopted Resolution No. 273-17 extending the interim controls for an additional six months.

Amendments to Current Law

The proposed legislation amends the Planning Code to add section 608.4, titled the Transit Center Special Sign District, and amends Sectional Map SSD to create the Transit Center

FILE NO. 170941

Special Sign District in the City's Zoning Map. The Transit Center Special Sign District would permanently institute the interim control requirements.

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# SAN FRANCISCO PLANNING DEPARTMENT

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September 28, 2017

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

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Re: **Transmittal of Planning Department Case Number 2017-009897PCA MAP:  
Transit Center Special Sign District  
Board File No. 170941  
Planning Commission Recommendation: Approval with Modification**

Dear Ms. Calvillo and Supervisor Kim,

On September 14, 2017, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance, introduced by Supervisor Kim that would amend the Planning Code and Zoning Map to create the Transit Center Special Sign District. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

- Clarify the term "parks" in subsection (c)(2). Staff recommends amending Subsection (c)(2) by adding the following clarifying language:

*...a new sign that is within 200 feet of an existing park under the jurisdiction and supervision of the San Francisco Recreation and Park Commission or any other public agency or planned public park, where a planned park is one that the San Francisco Recreation and Park Commission or any other public agency has identified as a site for a park through a public planning process and identified in the Transit Center District Plan, or within 200 feet of a POPOS...*

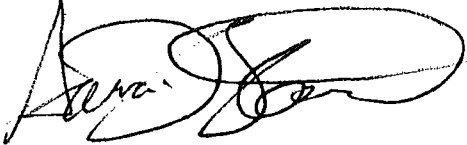
The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

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 D. Starr". The signature is stylized and somewhat cursive, with a large loop at the end.

Aaron D. Starr  
Manager of Legislative Affairs

cc:  
Robb W. Kapla, Deputy City Attorney  
Barbara Lopez, Aide to Supervisor Kim  
Erica Major, Office of the Clerk of the Board

Attachments:  
Planning Commission Resolution  
Planning Department Executive Summary



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 19993 HEARING DATE SEPTEMBER 14, 2017

*Project Name:* Transit Center District Plan Area Special Sign District  
*Case Number:* 2017-009897PCA MAP [Board File No. 170941]  
*Initiated by:* Supervisor Kim / Introduced September 5, 2017  
*Staff Contact:* Diego R Sánchez, Legislative Affairs  
diego.sanchez@sfgov.org, 415-575-9082  
*Reviewed by:* Aaron D Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

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**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO CREATE THE TRANSIT CENTER SPECIAL SIGN DISTRICT (BOUNDED BY MARKET STREET ON THE NORTH, FOLSOM STREET ON THE SOUTH, STEUART STREET ON THE EAST AND BETWEEN NEW MONTGOMERY AND THIRD STREET ON THE WEST, AND IN THE AREA BOUNDED BY FOLSOM, HARRISON, ESSEX AND SECOND STREETS, BUT EXCLUDING THE PLANNED CITY PARK BETWEEN MISSION, HOWARD, SECOND, AND BEALE STREETS AND THOSE PORTIONS OF THE TRANSIT CENTER DISTRICT PLAN INCLUDED IN ZONE 1 OF THE TRANSBAY REDEVELOPMENT PLAN AREA, WHICH INCLUDE PORTIONS OF LAND BOUNDED BY SPEAR, MISSION, FOLSOM, AND SECOND STREETS), TO RESTRICT THE SIZE AND HEIGHT OF NEW SIGNS WITHIN 200 FEET OF AND VISIBLE FROM AN EXISTING OR PLANNER PARK OR OPEN SPACE, AND TO RESTRICT ILLUMINATION OF CERTAIN NEW SIGNS IN THOSE AREAS AND AMEND THE ZONING MAP TO SHOW THE TRANSIT CENTER SPECIAL SIGN DISTRICT; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1; AND MAKING A FINDING OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE PURSUANT TO PLANNING CODE SECTION 302.**

WHEREAS, on September 5, 2017 Supervisor Kim introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 170941, which would amend the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs

within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; and will also amend the Zoning Map to show the Transit Center Special Sign District;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 14, 2017; 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

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 modification includes:

Clarify the term "parks" in Subsection (c)(2). Staff recommends amending Subsection (c)(2) by adding the following clarifying language:

...a new sign that is within 200 feet of an existing *park under the jurisdiction and supervision of the San Francisco Recreation and Park Commission or any other public agency* or planned public park, *where a planned park is one that the San Francisco Recreation and Park Commission or any other public agency has identified as a site for a park through a public planning process and identified in the Transit Center District Plan*, or within 200 feet of a POPOS...

## 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. New residential and open spaces uses are rapidly locating into The Transit Center Plan Area (Plan Area), a predominately office and retail district. Zoning controls, including sign regulations, should be amended to accommodate these new sensitive uses.
2. Amended sign regulations should account for the nuisance that illuminated signs may cause nearby residential uses by restricting the hours and intensity of illumination. Amended sign

regulations should also preserve views into and from existing and planned parks and open spaces within the Plan Area by restricting the size and allowed heights of adjacent signs.

3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

## HOUSING ELEMENT

### OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

#### Policy 13.4

Promote the highest feasible level of "green" development in both private and municipally supported housing.

*"Green" development includes creating dwelling units that ensure residents' comfortable sleep and an environment free of obnoxious odors, noises and light emissions. The Ordinance proposes to require that signs above 35 feet in height within the Plan Area are dimmable and that they are turned off during typical sleeping hours. This helps assure that existing and planned housing stays "green."*

## URBAN DESIGN ELEMENT

### OBJECTIVE 1

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

#### Policy 1.1

Recognize and protect major views in the city, with particular attention to those of open space and water.

*Regulating new signs around existing and planned parks and open spaces in the Plan Area will help improve the quality of experience there. The proposed limitations on sign size, height and illumination are intended to reduce visual clutter, provide order and minimize unwanted glare in and around parks and open spaces.*

### 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.

*Carefully regulating new signs in and around City Park and Under Ramp Park, as well as near other existing and future parks, open spaces and residential development, will help increase comfort and create an aesthetic environment in which to recreate and reside.*

## TRANSIT CENTER DISTRICT PLAN SUB AREA OF THE DOWNTOWN PLAN

### OBJECTIVE 3.10

ENHANCE THE OPEN SPACE NETWORK IN THE AREA TO SERVE THE INCREASING NUMBER OF WORKERS, RESIDENTS, AND VISITORS.

*The proposed sign controls in the Ordinance will help enhance the enjoyment of the parks and open spaces within the Plan Area. The proposed controls will ensure that signage within view of parks is tastefully done and appropriately sized.*

4. **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 because the Ordinance proposes new sign controls to improve the experience in parks and open spaces.*

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 have a positive effect on housing and neighborhood character because it proposes sign regulations to control the illumination, height and size of signs. This will enhance the housing and 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 because it proposes new sign regulations for signs near parks and open spaces.*

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 as the Ordinance proposes regulations directed at new signs near parks and open spaces.*

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 because it proposes to regulate new signs in the vicinity of existing and planned parks and open spaces.*

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 because it proposes new sign regulations.*

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 because it does not alter the review procedures for adding new signs to landmarks or historic buildings.*

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

*The proposed Ordinance would have a beneficial effect on the City's parks and open space and their access to sunlight and vistas because it proposes new sign controls that will restrict the size, height and illumination of signs, thereby preserving access to sunlight.*

5. **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 as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 14, 2017



Jonas P. Ionin  
Commission Secretary

AYES: Fong, Hillis, Koppel, Melgar, Moore, Richards

NOES: None

ABSENT: Johnson

ADOPTED: September 14, 2017



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Planning Code Text & Zoning Map Amendment

HEARING DATE: SEPTEMBER 14, 2017  
EXPIRATION DATE: DECEMBER 12, 2017

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*Project Name:* Transit Center District Plan Area Special Sign District  
*Case Number:* 2017-009897PCA MAP [Board File No. 170941]  
*Initiated by:* Supervisor Kim / Introduced September 5, 2017  
*Staff Contact:* Diego R Sánchez, Legislative Affairs  
diego.sanchez@sfgov.org, 415-575-9082  
*Reviewed by:* Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362  
*Recommendation:* **Recommend Approval with Modification**

### PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas. The Ordinance will also amend the Zoning Map to add the Transit Center Special Sign District.

#### The Way It Is Now:

The installation and operation of signs on properties within the Transit Center District Plan Area and the area bounded by Folsom, Harrison, Essex and Second Streets are regulated by the controls in the underlying zoning districts and special sign districts. These include the Downtown Office Special Development (C-3-O(SD)), Mixed Use Office (MUO) zoning districts and the Market Street Special Sign District (MSSSD). The controls in these districts include the following:

1. Signs in the C-3-O(SD), MUO or MSSSD may be in operation and illuminated at full intensity 24 hours a day;
2. The C-3-O(SD), MUO and MSSSD do not impose specific controls for signs near parks or Privately Owned Public Open Space (POPOS); rather the Citywide controls for signs near parks in Planning Code Section 608.2 limit signs to 200 square feet in size when they are within 200 feet of a park; and
3. There are no specific controls for Business Signs near City Park in the C-3-O(SD), MUO or MSSSD.



### The Way It Would Be:

The installation and operation of signs on properties within the Transit Center District Plan Area and the area bounded by Folsom, Harrison, Essex and Second Streets would be regulated by the Transit Center District Plan Area Special Sign District (SSD). The controls in the SSD include:

1. New signs with any part of the sign face over 35 feet in height would be required to be dimmable and their illumination would be required to be turned off from 11 pm until 6 am;
2. For new signs within 200 feet of an existing or planned public park or a ¼ acre POPOS, and visible from that park or POPOS, height would be limited to 35 feet and size would be limited to 50 square feet; and
3. New Business Signs within 200 feet of City Park, visible from City Park, and located on a building façade directly abutting or with pedestrian connection to City Park, would be limited to consist only of metal lettering raised off the façade of the building to which it is attached, with a vertical dimension of 30 inches, a maximum area of 50 square feet, a height limited to 15 feet, and illumination consisting only of indirect illumination. If such new Business Sign is not located on a building façade directly abutting or with pedestrian connection to City Park then it would be required to comply with the standard sign controls in Planning Code Section 607.

## BACKGROUND

### Interim Zoning Controls

Resolution 418-15<sup>1</sup>, effective November 2015, imposed interim zoning controls regulating new signs within the Transit Center District Plan Area (Plan Area). This Resolution found that the illumination, height and size of new signs could adversely affect the aesthetics of parks or POPOS in the Plan Area as well as the enjoyment of those parks and POPOS. City Park and Under Ramp Park, two forthcoming parks in the Plan Area, are specifically identified as parks of concern in this regard. This Resolution also found that evening and nighttime sign illumination could disturb the sleep of nearby residents and the overall enjoyment of their dwellings.

To address and ameliorate the possible effects of new signs on parks, POPOS and dwellings, the interim zoning controls required that:

- new signs be dimmable and turned off from 11pm to 6am;
- new signs near existing or planned parks and ¼ acre POPOS cannot be larger than 50 square feet in size and higher than 35 feet in height; and
- new business signs near City Park on a building façade directly abutting or with a pedestrian connection to City Park consist only of metal lettering 30 inches or smaller, be no larger than 50 square feet in size, have a height no greater than 15 feet and, if illuminated, consist only of indirect illumination.

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<sup>1</sup> Resolution 418-15:

<https://sfgov.legistar.com/View.ashx?M=F&ID=4136235&GUID=474BD17C-5149-488C-90F0-CA06A04BA6AD>

This Resolution found that these controls are affirmatively supported by Priority Policies 2 and 8 of Planning Code Section 101.1, General Plan Consistency and Implementation.<sup>2</sup> Importantly this Resolution also found that the interim zoning controls do not conflict with the other six Priority Policies.

Resolution 273-17<sup>3</sup>, effective July 2017, extended the interim zoning controls established under Resolution 418-15 for an additional six months. Resolution 273-17 found that the conditions that led to the adoption of Resolution 418-15 persist. Extending the interim controls affords time to finalize permanent Planning Code regulations for signs in the Plan Area.

## **ISSUES AND CONSIDERATIONS**

### **The City's Downtown and Signage Controls**

The Downtown Plan (DP), adopted in 1985, is the document guiding growth and development toward specific areas of the City's downtown. The DP sought to bring new office and other employment related uses from north of Market Street into the areas south of Market Street, and especially around the Transbay Terminal. In conjunction with growth, the DP includes measures to ensure that needed support infrastructure, such as affordable housing, transit, and open space, are also provided as part of the growth.

The removal of the Embarcadero Freeway allowed the City's downtown to expand, connecting back to its waterfront with a promenade and light rail line. It also brought the downtown closer to a forthcoming high-density, mixed-use neighborhood. The adoption of the Rincon Hill Plan and the Transbay Redevelopment Plan in 2005 codified the creation of this new residential area, to which the Plan Area lies adjacent.

Since the adoption of the DP in 1985 the zoning for this area has changed to reflect and accommodate a mixed use district with commercial and high density residential uses. The signage controls, however, do not reflect the same level of nuance as other zoning controls. These still reflect the needs of major office developments and the retail uses serving their employees. In particular, the controls allow 24 hour sign illumination; sign heights of up to 60 feet irrespective of their proximity to publicly accessible open spaces; and signs of up to 200 square feet in size near parks and playgrounds.

### **Interim Controls Reception**

Interim zoning controls addressing the height, size and illumination of signs in the Plan Area, and near parks and open spaces, have been in effect since November 2015.<sup>4</sup> Staff from the Planning Department,

---

<sup>2</sup> Policy 2: That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

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

<sup>3</sup> Resolution 273-17:

<https://sfgov.legistar.com/View.ashx?M=F&ID=5328307&GUID=46F1C9F7-0877-4948-B5CE-E878F4643B9B>

<sup>4</sup> Resolution 418-15

the Office of Community Investment and Infrastructure (OCII) and the Mayor's Office of Economic and Workforce Development (OEWD) met in January 2016 to discuss and coordinate their implementation. As part of this effort staff from OEWD has reached out to stakeholders in the Plan Area. OEWD staff reports that they have not received negative comments regarding the interim controls. Planning Department staff working in the Plan Area report that the Interim Controls are an effective way to address aesthetic and illumination concerns.

### **Parks and Open Spaces in the Plan Area**

#### City Park and Under Ramp Park

Sitting atop the Transbay Transit Center and in the middle of the Plan Area, City Park will be the premier new open space in the Plan Area. City Park, at 5.4 acres in size, is designed to provide both needed recreational space and environmental benefits for the adjacent neighborhood. Recreational amenities will include an outdoor amphitheater for concerts and fairs, a restaurant and café, children's play spaces, trails and planted areas for open grass areas and other flora. These planted areas will allow City Park to double as a living roof for the Transbay Transit Center and as an important ecological feature for the neighborhood in general. The abundance of planted areas will serve as habitat for birds and pollinators and will help cool the surrounding environment. It will also improve air quality by capturing and filtering exhaust in the area.

Under Ramp Park will be another important large open space in the Plan Area. This 4.2 acre neighborhood park will be situated under the elevated bus ramp connecting the Transbay Transit Center to the Bay Bridge. Under Ramp Park is designed to improve connectivity between the Rincon Hill neighborhood and the Transit Center; foster community by providing ample space for programmed activities; and create a destination for the neighborhood through distinctive design. Under Ramp Park will include children's play areas, spaces for active recreation, a beer garden and other gathering spaces.

Both City Park and Under Ramp Park will be indispensable amenities for the burgeoning Transbay and the adjacent Rincon Hill neighborhoods. Given this importance, Planning Code controls should work to maintain these parks' aesthetic. This includes amending sign regulations to control for garish commercial signs and other visual clutter in and visible from these parks.

#### POPOS

POPOS, first required by the Downtown Plan for projects in C-3 zoning districts, are publicly accessible open spaces provided and maintained by private developers. They take the form of plazas, parks, view terraces or public sitting areas in a galleria, an arcade, or in a pedestrian mall or walkway. POPOS are intended to satisfy the open space needs of downtown workers, residents and visitors given the relative scarcity of existing parks. With this function in mind, it is important that the more significant POPOS are afforded special consideration under the Planning Code, especially with respect to aesthetics and user enjoyment. This includes preventing existing POPOS from being visually cluttered by overly large or prominent commercial signs.

### **General Plan Compliance**

The proposed Ordinance complies with the following Objectives and Policies of the General Plan:

#### Housing Element

**Objective 13:** Prioritize Sustainable Development in Planning For and Constructing New Housing

**Policy 13.4:** Promote the highest feasible level of “green” development in both private and municipally supported housing

“Green” development includes creating dwelling units that ensure residents’ comfortable sleep and an environment free of obnoxious odors, noises and light emissions. The Ordinance proposes to require that signs above 35 feet in height within the Plan Area are dimmable and that they are turned off during typical sleeping hours. This helps assure that existing and planned housing stays “green.”

#### Urban Design 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 1.1:** Recognize and protect major views in the city, with particular attention to those of open space and water.

Regulating new signs around existing and planned parks and open spaces in the Plan Area will help improve the quality of experience there. The proposed limitations on sign size, height and illumination are intended to reduce visual clutter, provide order and minimize unwanted glare in and around parks and open spaces.

**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

Carefully regulating new signs in and around City Park and Under Ramp Park, as well as near other existing and future parks, open spaces and residential development, will help increase comfort and create an aesthetic environment in which to recreate and reside.

#### Transit Center District Plan Sub Area of the Downtown Plan

**Objective 3.10:** Enhance the Open Space Network in the Area to Serve the Increasing Numbers of Workers, Residents, and Visitors

The proposed sign controls in the Ordinance will help enhance the enjoyment of the parks and open spaces within the Plan Area. The proposed controls will ensure that signage within view of parks is tastefully done and appropriately sized.

### **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’s proposed recommendations are as follows:

1. Clarify the term “parks” in subsection (c)(2). Staff recommends amending Subsection (c)(2) by adding the following clarifying language:

...a new sign that is within 200 feet of an existing park under the jurisdiction and supervision of the San Francisco Recreation and Park Commission or any other public agency or planned public park, where a planned park is one that the San Francisco Recreation and Park Commission or any other public

agency has identified as a site for a park through a public planning process and identified in the Transit Center District Plan, or within 200 feet of a POPOS...

## **BASIS FOR RECOMMENDATION**

The Department supports the proposed Planning Code and Zoning Map amendments because they constitute a needed updating of the sign regulations in the Transit Center Plan Area. This area has been experiencing rapid change and is becoming a high density mixed use neighborhood that includes new residents, parks, and other open spaces. In recognition of this change, interim sign regulations were imposed in 2015 and extended in 2017. These interim controls, aimed at regulating the illumination, size and height of signs near existing and planned parks and other open spaces, have been well received by stakeholders in the area. Two of the new parks, City Park and Under Ramp Park, will be prominent new open spaces for the neighborhood, and will provide much needed recreational and ecological benefit. These parks, as well as the other open spaces in the Plan Area, deserve the special consideration afforded by the sign regulations in the proposed Ordinance.

The Department is proposing one modification that will help implementation of the proposed sign regulations:

**Recommendation 1: Clarify the term “parks” in Subsection (c)(2).** Staff recommends amending Subsection (c)(2) by adding the following clarifying language:

...a new sign that is within 200 feet of an existing *park under the jurisdiction and supervision of the San Francisco Recreation and Park Commission or any other public agency* or planned public park, where a planned park is one that the San Francisco Recreation and Park Commission or any other public agency has identified as a site for a park through a public planning process and identified in the Transit Center District Plan, or within 200 feet of a POPOS...

Adding this language will clarify that any park, existing or planned, open to the public and under the jurisdiction of a public agency will benefit from the proposed sign height and size regulations. This aids implementation and can provide adequate notice to prospective sign companies about sign installation near parks and open spaces in the Plan Area.

## **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.

## **IMPLEMENTATION**

The Department has determined that this ordinance will not impact our current implementation procedures.

## 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.

<b>RECOMMENDATION:</b> <b>Recommendation of Approval with Modification</b>
--

### Attachments:

- Exhibit A:      Draft Planning Commission Resolution
- Exhibit B:      Board of Supervisors File No. 170941

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

September 12, 2017

File No. 170941

Lisa Gibson  
Acting Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On September 5, 2017, Supervisor Kim introduced the following proposed legislation:

**File No. 170941**

**Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

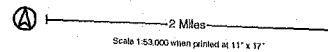
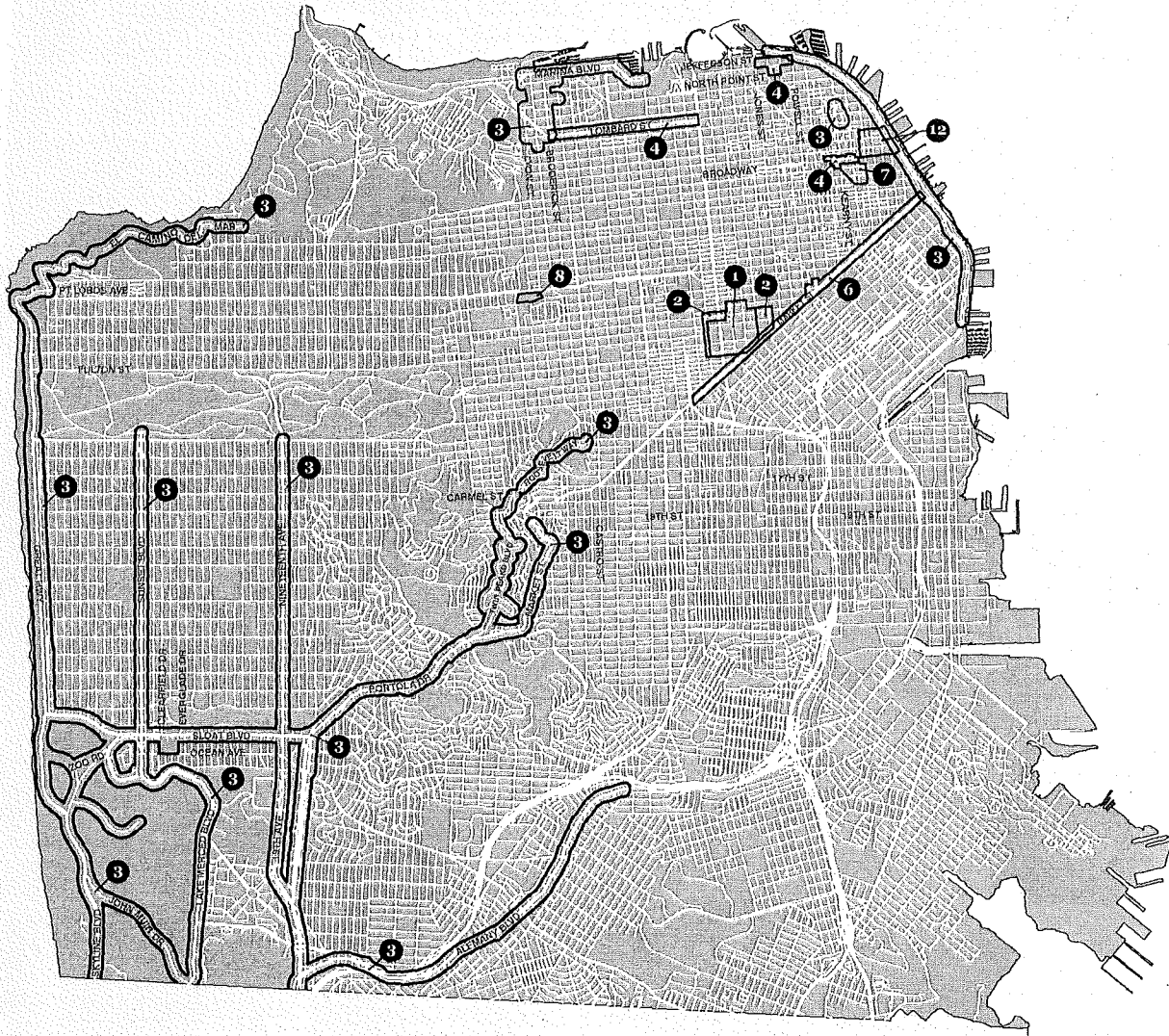
Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Joy  
Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sfgov.org,  
c=US  
Date: 2017.09.21 15:40:53 -07'00'



# San Francisco Zoning Map

## SPECIAL SIGN DISTRICTS INCLUDED IN THIS MAP:

- 1) Civic Center 1, 2) Civic Center 2, 3) Special Districts for Scenic Streets
- 4) Special Districts for Sign Illumination, 6) Market Street, 7) Jackson Square,
- 8) City Center, 12) Northeast Waterfront

The Zoning Map of the City and County of San Francisco is established by sections 105 and 106 of the Planning Code, a part of the San Francisco Municipal Code. Zoning Use Districts are established by sections 201, 702, 802, and 902 of the Planning Code. This map incorporates Board of Supervisors' ordinances enacted through May 2017.

Disclaimer: The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

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San Francisco Planning



SHEET  
**SS01**



BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

September 12, 2017

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On September 5, 2017, Supervisor Kim introduced the following legislation:

**File No. 170941**

**Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.**

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Land Use and Transportation Committee  
Referral from the Board of Supervisors

- c: John Rahaim, Director of Planning
- Aaron Starr, Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Acting Environmental Review Officer
- AnMarie Rodgers, Senior Policy Advisor
- Laura Lynch, Environmental Planning
- Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



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San Francisco 94102-4689  
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September 12, 2017

File No. 170941

Lisa Gibson  
Acting Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On September 5, 2017, Supervisor Kim introduced the following proposed legislation:

**File No. 170941**

**Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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San Francisco 94102-4689  
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**NOTICE OF PUBLIC HEARING**  
**BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**  
**LAND USE AND TRANSPORTATION COMMITTEE**

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** October 16, 2017

**Time:** 1:30 p.m.

**Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** **File No. 170941.** Ordinance amending the Planning Code to create the Transit Center Special Sign District (bounded by Market Street on the north, Folsom Street on the south, Steuart Street on the east, and between New Montgomery and Third Streets on the west, and in the area bounded by Folsom, Harrison, Essex, and Second Streets, but excluding the planned City Park between Mission, Howard, Second, and Beale Streets and those portions of the Transit Center District Plan Area included in Zone 1 of the Transbay Redevelopment Plan Area, which include portions of land bounded by Spear, Mission, Folsom, and Second Streets), to restrict the size and height of new signs within 200 feet of and visible from an existing or planned public park or open space, and to restrict illumination of certain new signs in those areas; amending the Zoning Map to show the Transit Center Special Sign District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making a finding of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 13, 2017.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED/MAILED/POSTED: October 6, 2017

Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 SEP -5 PM 3:36

BY [Signature] Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Kim

Subject:

[Planning Code, Zoning Map - Transit Center Special Sign District]

The text is listed:

Attached.

Signature of Sponsoring Supervisor:

[Signature]

For Clerk's Use Only