



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 18627

HEARING DATE: MAY 17, 2012

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*Project Name:* Zoning Map Amendments – Washington-Broadway Special Use District 1; Waterfront Special Use District 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets.

*Case Number:* 2011.0533Z [Board File No. 11-0547]

*Initiated by:* Supervisor Chiu / Introduced May 3, 2011

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*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
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*Recommendation:* **Recommend Approval with Modifications of “Phase Three” Van Ness Special Sign District and Special District for Sign Illumination**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD AMEND SHEETS SU01, SS01, AND SS02 OF THE SAN FRANCISCO ZONING MAP TO: 1) ADD BLOCKS AND LOTS TO THE WASHINGTON-BROADWAY SPECIAL USE DISTRICT 1; 2) ADD BLOCKS TO THE WATERFRONT SPECIAL USE DISTRICT 2; 3) DELETE BLOCKS AND ADD LOTS TO THE WATERFRONT SPECIAL USE DISTRICT 3; 4) MAKE THE BOUNDARIES OF THE SPECIAL DISTRICT FOR SIGN ILLUMINATION ON BROADWAY CO-EXTENSIVE WITH THE BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT; 5) DELETE THE VAN NESS SPECIAL DISTRICT FOR SIGN ILLUMINATION; AND 6) ADD THE EMBARCADERO FROM TAYLOR STREET TO SECOND STREET TO THE SPECIAL DISTRICT FOR SCENIC STREETS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

### PREAMBLE

Whereas, on May 3, 2011, Supervisor Chiu introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 11-0547 which would amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive

with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1 ; and

Whereas, on December 15, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas on February 8, 2012, the legislative sponsor, Board President David Chiu, sent the Commission a memorandum requesting that the Commission not consider certain topics from the proposed Ordinance as it is his intend to remove the following topics from the proposed Ordinance: proposed changes to Port Property and the expansion of the Waterfront Advisory Committee.

Whereas on March 1, 2012, the Planning Commission considered a portion of the proposed Ordinance herein referred to as "Phase One", covering the subject area of the Embarcadero Scenic Street Sign District; and

Whereas, at the March 1, 2012 hearing, the Commission recommended approval with modifications of Phase One in Resolution Number 18554; and

Whereas, the Commission requested that the next hearing consider the "Phase Two" topics of the same proposed Ordinance including the topics of changes to the Washington Broadway and Waterfront SUDs and the Special District for Sign Illumination on Broadway and Van Ness, and the Van Ness Special Sign District; and

Whereas at the May 3, 2012 hearing, the proposed changes to the Van Ness Special Sign District and the Special Sign District for Illumination on Van Ness Avenue were continued to a later hearing to be heard as "Phase 3" of the proposed ordinance; and

Whereas, at the May 3, 2012 hearing, the Commission recommended approval with modifications of "Phase Two" in Resolution Number 18616; and

Whereas, this hearing is to consider the topics described as "Phase Three"; and

Whereas, the proposed map changes were determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines); and

Whereas, the 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 the applicant, Department staff, and other interested parties; and

Whereas, the 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 Commission has reviewed the proposed Ordinance; and

**MOVED**, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** "Phase Three" of the proposed ordinance. Specifically, the Commission recommends the following modifications:

1. Do not delete the Van Ness Special Sign District from the Planning Code under the proposed Ordinance; this issue should be studied further and possibly introduced under separate legislation.

## 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 full implications of removing the Van Ness Special Sign District from the Planning Code have not been fully analyzed.
2. Correcting the zoning map to remove the Van Ness from the Special Sign District for Illumination because it is an outdated section of the Planning Code is good governance.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

### V. VAN NESS AVENUE AREA PLAN

#### **OBJECTIVE 8**

CREATE AN ATTRACTIVE STREET AND SIDEWALK SPACE WHICH CONTRIBUTES TO THE TRANSFORMATION OF VAN NESS AVENUE INTO A RESIDENTIAL BOULEVARD.

#### **Policy 8.11**

Permit general advertising signs, business signs and other identifying signs. Permitted signs should meet the following design criteria:

- Signs should not feature any flashing, blinking, fluctuating or otherwise animated light. Likewise, signs should not feature any moving parts.
- Wall signs shall not be less than 10 feet above grade and should not be higher than 45 feet above grade and should not be higher than the lowest residential window sill.
- Projecting signs and general advertising signs should not be higher than 36 feet. Projecting signs shall in no case project more than 4 feet over the sidewalk.
- General advertisement signs should conform to State Outdoor Advertisement regulations requiring that no advertising display shall be placed within 100 feet from another advertising display.

- Signs should not be placed in front of windows.

*Modifying the Ordinance so that the Van Ness Special Sign District is not removed is consistent with this policy of the Van Ness Area Plan. Further, removing the Van Ness Avenue from the Special Sign District for Illumination from the Planning Code and Zoning Map is also consistent with this policy of the Van Ness Area Plan, as it specifically prohibits flashing or blinking signs.*

4. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*Phase Three of the proposed Ordinance will not have a negative impact on neighborhood-serving retail.*

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*Phase Three of the proposed Ordinance would have no impact on existing housing and neighborhood character.*

- C) The City's supply of affordable housing will be preserved and enhanced:

*Phase Three of the proposed Ordinance will have no adverse effect on the City's supply of affordable housing.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*Phase Three of the proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*Phase Three of the proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.*

- G) That landmark and historic buildings will be preserved:

*Landmarks and historic buildings would be unaffected by the proposed legislation.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The City's parks and open space and their access to sunlight and vistas would not be negatively impacted by the proposed legislation.*

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on May 17, 2012

Linda Avery  
Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Miguel, Sugaya, Wu

NAYS: none

ABSENT: Commissioner Moore

ADOPTED: May 17, 2012