

File No. 680658

Committee Item No. 8

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee CITY OPERATIONS AND
NEIGHBORHOOD SERVICES

Date 10/16/08

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
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OTHER

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Completed by: Gail Johnson

Date 10/10/08

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [General Advertising on City Buildings and Street Furniture.]

2

3

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of July 1, 2007 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings; adopting environmental and other findings.

7

8

Note: The Section is entirely new.

9

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

11 Section 1. Findings.

12 (a) The Planning Department has determined that the actions contemplated in this
13 ordinance are in compliance with the California Environmental Quality Act (California Public
14 Resources Code section 21000 et seq.). This determination is on file with the Clerk of the
15 Board of Supervisors in File No. _____ and is incorporated into this ordinance
16 by reference.

17 (b) In 2002 the voters approved Proposition G, which adds Section 611 to the
18 Planning Code. Section 611 prohibits new general advertising signs at any location within the
19 City as of March 5, 2002. By its terms, this prohibition on new general advertising included
20 signs on City buildings, but expressly excluded signs on motor vehicles or in the public right-
21 of-way if permitted by local law.

22 (c) In November 2007, the voters approved Proposition K. Proposition K sets forth
23 a Declaration of Policy that the City should not allow any increase in the number of general
24 advertising signs on street furniture over the number authorized as of July 1, 2007. As stated
25 in the Ballot Simplification Committee's Digest for Proposition K, the ordinance adopted by the

1 voters in 2002 already prohibited new general advertising signs on City buildings. This
2 prohibition was reinforced by the voters in Proposition K, which states that the City should not
3 allow an increase in the number of general advertising signs visible to the public on the
4 exterior of City-owned buildings over the number in place as of December 1, 2007.

5 Section 2. The San Francisco Administrative Code is hereby amended by adding
6 Section 420-1, to read as follows:

7 SEC. 420-1. GENERAL ADVERTISING – PROHIBITION ON THE EXTERIOR OF
8 CITY BUILDINGS AND ON STREET FURNITURE.

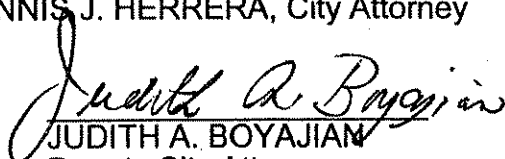
9 (a) As provided by Section 611 of the San Francisco Planning Code, which was
10 adopted by the voters in November 2002, and by Proposition K, which was adopted by the
11 voters in November 2007, new general advertising signs that are visible to the public are
12 prohibited on the exterior of any City-owned building after March 5, 2002.

13 (b) As set forth in Proposition K, no increase in the number of general advertising
14 signs shall be allowed on street furniture, including transit shelters, kiosks, benches and
15 newspaper racks, over the number authorized by City law and through City contracts as of
16 July 1, 2007.

17 (c) The term "general advertising sign" shall have the meaning set forth in Section
18 602.7 of the Planning Code.

19
20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By:


23 JUDITH A. BOYAJIAN
24 Deputy City Attorney
25

LEGISLATIVE DIGEST

[Zoning – Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts.]

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Existing Law

Formula retail uses are defined by Section 703.3 of the Planning Code as "a type of retail sales activity or retail sales establishment which, along with eleven or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized façade, a standardized décor and color scheme, a uniform apparel, standardized signage, a trademark or servicemark." Section 803.6 applies this definition to formula retail uses in the Western Soma Planning Area Special Use District.

Formula retail uses have been regulated in the City since 2004. Under current law, formula retail uses within any Neighborhood Commercial District, and within the Western Soma Planning Area Special Use District, require a conditional use authorization under Section 303 of the Planning Code. Under this provision, prior to approval of an application for a conditional use, the Planning Commission is required to consider, among other things, whether the use is compatible with the neighborhood and the community, whether it will serve the neighborhood, whether it will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.

In addition, formula retail uses are prohibited in the Hayes-Gough Neighborhood Commercial District and the North Beach Neighborhood Commercial District. Legislation prohibiting formula retail uses in the Mission and Bernal Heights was introduced in November and is currently under consideration.

Amendments to Current Law

This legislation amends current law by requiring formula retail uses in Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts to obtain a conditional use permit.

FILE NO.

Background Information

The purpose of this legislation is to grant the Planning Commission discretion to approve formula retail uses in RC-3 and RC-4 Districts, taking into consideration factors such as compatibility of the use with the neighborhood and the community.