Resolution imposing interim zoning controls for an 18-month period to clarify the
definition of a Business Sign in Planning Code, Section 602.3, affirming the Planning
Department's environmental determination; and making findings of consistency with
the General Plan, and the eight priority policies of Planning Code, Section 101.1.

WHEREAS, Planning Code, Section 306.7, permits the imposition of interim zoning
controls that promote the public interest, including but not limited to (a) development and
conservation of the City's commerce and industry to maintain the City's economic vitality and
maintain adequate services for its residents, visitors, businesses and institutions, and (b)
preservation of neighborhoods and areas of mixed residential and commercial uses and their
existing character; and

WHEREAS, Section 601 of the Planning Code recognizes the important function of
signs as well as the need to regulate them in order to, among other things, (1) protect the
distinctive appearance of San Francisco, (2) provide an environment which will promote the
development of business in the City, and (3) encourage sound practices and lessen the
objectionable effects of competition in respect to size and placement of signs. and thereby to
promote the public health, safety, and welfare; and

WHEREAS, Section 602.3 of the Planning Code defines a “Business Sign” as “a sign
which directs attention to a business, commodity, service, industry or other activity which is
sold, offered, or conducted, other than incidentally, on the premises upon which such sign is
located, or to which it is affixed”; and

WHEREAS, In circumstances where a number of commodities are sold with different
brand names or symbols on the premises, Section 602.3 allows advertising for such

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commodities to occupy up to one-third of the area of a business sign, or 25 square feet of sign area, whichever is the lesser, as “an accessory function of the business sign,” provided that such advertising is integrated with the remainder of the business sign; and

WHEREAS, Section 602.7 of the Planning Code defines a “General Advertising Sign” as “a sign which directs attention to a business, commodity, industry or other activity which is sold, offered or conducted elsewhere than on the premises upon which the sign is located, or to which it is affixed, and which is sold, offered or conducted on such premises only incidentally if at all”; and

WHEREAS, Planning Code, Section 602.3 was enacted in 1965 and never subsequently amended, and therefore does not reflect current marketing conditions; and

WHEREAS, Planning Code, Section 602.7 was enacted in 1965, but amended in 2002 by a vote of the People to prohibit new general advertising signs; and

WHEREAS, The 2002 prohibition against new “General Advertising Signs” has, over time, demonstrated the need to clarify and to update the limitations intended in the 1965 definition of “Business Sign”; and

WHEREAS, These proposed interim controls will allow time for the orderly completion of a planning study and for the adoption of appropriate legislation; and

WHEREAS, These interim zoning controls further the City’s interests set forth in Planning Code, Section 601; and

WHEREAS, The Board of Supervisors (“Board”) has considered the impact on the public health, safety, peace and general welfare if the interim controls proposed herein are not imposed; and

WHEREAS, The Board has determined that the public interest will best be served by imposition of these interim controls in order to ensure that the comprehensive legislative
scheme that may be ultimately adopted is not undermined during the planning and legislative
process for permanent controls; and

WHEREAS, By adding additional criteria to the definition of “Business Sign” in Section
602.3 of the Planning Code, these interim controls advance Priority Policy 1, that existing
neighborhood-serving retail uses be preserved and enhanced, and Policy 2, that existing
neighborhood character be conserved and protected in order to preserve the economic
diversity of our neighborhoods, in Section 101.1 of the Planning Code and do not conflict with
Priority Policies 3 through 8 or with the City’s General Plan; and

WHEREAS, The Planning Department has determined that the actions contemplated in
this Resolution are in compliance with the California Environmental Quality Act (California
Public Resources Code, Sections 21000 et seq.) and the Board hereby affirms that
determination. Said determination is on file with the Clerk of the Board of Supervisors in File
No. 140821 and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the definition of a “Business Sign” in Planning Code, Section 602.3
is hereby amended to read as follows:

“BUSINESS SIGN. A sign which directs attention to the primary business, commodity,
service, industry or other activity which is sold, offered, or conducted, other than incidentally, on
the premises upon which such sign is located, or to which it is affixed. Where a number of
businesses, services, industries, or other activities are conducted on the premises, or a number of
commodities, with different brand names or symbols are sold on the premises, up to 1/3 of the
area of a business sign, or 25 square feet of sign area, whichever is the lesser, may be
devoted to the advertising of one or more of those businesses, commodities, services, industries,
or other activities by brand name or symbol as an accessory function of the business sign,
provided that such advertising is integrated with the remainder of the business sign, and
provided also that any limits which may be imposed by this Code on the area of individual
signs and the area of all signs on the property are not exceeded. The primary business, commodity, service, industry, or other activity on the premises shall mean the use which occupies the greatest area on the premises upon which the business sign is located, or to which it is affixed; and, be it

FURTHER RESOLVED, That any proposed Business Sign which has not received a final decision on any required approval action by any City department, board, commission, or agency shall be covered by these interim controls; and, be it

FURTHER RESOLVED, That upon imposition of these interim controls, the Planning Department shall conduct a study of the contemplated zoning proposal and propose permanent legislation to address this identified problem with the “Business Sign” definition; and, be it

FURTHER RESOLVED, That these interim controls shall remain in effect for a period of 18 months unless extended in accordance with Planning Code, Section 306.7(h) or until permanent controls are adopted, whichever occurs first; and, be it

FURTHER RESOLVED, That the Planning Department shall provide reports to the Board pursuant to Planning Code, Section 306.7(i).

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: JUDITH A. BOYAJIAN
Deputy City Attorney

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Resolution imposing interim zoning controls for an 18-month period to clarify the definition of a Business Sign in Planning Code, Section 602.3, affirming the Planning Department's environmental determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 140821

July 28, 2014 Land Use and Economic Development Committee - RECOMMENDED AS COMMITTEE REPORT

July 29, 2014 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 7/29/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved: 8/1/2014