

BOARD of SUPERVISORS



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

March 15, 2012

Planning Commission  
Attn: Linda Avery  
1660 Mission Street, 5<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Commissioners:

On March 6, 2012, Supervisor Chiu introduced the following proposed legislation:

**File No. 120220**

Ordinance amending the San Francisco Planning Code by: 1) amending Sections 135(h)(4), 135.3(g), and 138(i) to impose additional signage requirements for privately-owned publicly-accessible open spaces; 2) amending Section 603(k) to make a conforming amendment; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

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 & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk

Land Use & Economic Development Committee

Attachment

- c: John Rahaim, Director of Planning
- Scott Sanchez, Zoning Administrator
- Bill Wycko, Chief, Major Environmental Analysis
- AnMarie Rodgers, Legislative Affairs
- Nannie Turrell, Major Environmental Analysis
- Brett Bollinger, Major Environmental Analysis

1 [Planning Code - Signage Requirements for Privately-Owned Publicly-Accessible Open  
2 Spaces]

3 **Ordinance amending the San Francisco Planning Code by: 1) amending Sections**  
4 **135(h)(4), 135.3(g), and 138(i) to impose additional signage requirements for privately-**  
5 **owned publicly-accessible open spaces; 2) amending Section 603(k) to make a**  
6 **conforming amendment; and 3) making environmental findings, Planning Code Section**  
7 **302 findings, and findings of consistency with General Plan and Planning Code Section**  
8 **101.1.**

9 NOTE: Additions are single-underline italics Times New Roman;  
10 deletions are ~~strike-through italics Times New Roman~~.  
11 Board amendment additions are double-underlined;  
12 Board amendment deletions are ~~strikethrough-normal~~.

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

14 Section 1. Findings.

15 (a) The Planning Department has determined that the actions contemplated in this  
16 ordinance comply with the California Environmental Quality Act (California Public Resources  
17 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of  
18 Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

19 (b) Pursuant to Planning Code Section 302, the Board finds that the proposed  
20 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
21 Planning Commission Resolution No. \_\_\_\_\_, which reasons are incorporated herein by  
22 reference as though full set forth. A copy of Planning Commission Resolution No. \_\_\_\_\_ is  
23 on file with the Board of Supervisors in File No. \_\_\_\_\_.

24 (c) The Board of Supervisors finds that this ordinance is in conformity with the General  
25 Plan and the Priority Policies of Planning Code Section 101.1 for the reasons set forth in

1 Planning Commission Resolution No. \_\_\_\_\_ and hereby incorporates those reasons  
2 hereby by reference.

3  
4 Section 2. The San Francisco Planning Code is hereby amended by amending Section  
5 135(h)(4), to read as follows:

6 SEC. 135(h)(4). **Informational Plaque:** ~~Prior to issuance of a permit of occupancy, a A~~  
7 plaque or plaques shall be placed in a publicly conspicuous location as described in this  
8 subsection outside the building at street level, or at the site of any publicly accessible open space. The  
9 plaque or plaques shall identify said open space feature and its location, stating the right of the  
10 public to use the space and the hours of use, describing its principal required features (e.g.,  
11 number of seats, uses and/or other defining features) and stating the name, telephone number,  
12 electronic mail address and postal address of the owner or owner's agent responsible for public  
13 access and maintenance. The plaque or plaques shall:

14 (A) each be of no less than 24 inches by 36 24 inches in size unless specifically reduced  
15 by the Zoning Administrator in cases where the nature, size, or other constraints of the open  
16 space would make the proscribed dimensions inappropriate; and

17 (B) use a standard Publicly-Accessible Usable Open Space logo developed by the Planning  
18 Department; and

19 (C) provide a clear contrast between the lettering and the background; and

20 (D) be placed so that the midpoint of the plaque is positioned at a height between four and one-  
21 half to six feet above grade level; and

22 (E) be located as follows:

23 (i) If the open space is located outside of a building and is at least partially adjacent to a  
24 public sidewalk, a plaque shall be placed on each building face adjacent to the space. Each plaque  
25 shall be located as close as possible to the nearest adjacent public sidewalk, but in no case shall any

1 portion of each plaque be located more than five feet from the nearest sidewalk. Alternately, a plaque  
2 may be attached to an improvement within the open space so long as the entire plaque is located within  
3 five feet of an adjacent public sidewalk.

4 (ii) If the open space is located inside a building, or if the open space is located outside a  
5 building but is primarily accessed through a building, or if the open space is not otherwise easily  
6 visible from the nearest public sidewalk, a plaque shall be placed on each building face which contains  
7 a pedestrian entrance to the building (exclusive of service, emergency, maintenance and related  
8 entrances). Such plaque must be at least partially visible within five horizontal feet of any such  
9 entrance door.

10  
11 Section 3. The San Francisco Planning Code is hereby amended by amending Section  
12 135.3(g), to read as follows:

13 SEC. 135.3(g) A ~~sign~~ plaque satisfying the requirements of Section ~~603(k)~~ 135(h)(4) of  
14 this Code shall be prominently posted at the entrance to the open space area declaring that  
15 the area is open to the public.

16  
17 Section 4. The San Francisco Planning Code is hereby amended by amending Section  
18 138(i), to read as follows:

19 SEC. 138(i). **Informational Plaque.** ~~Prior to issuance of a permit of occupancy, a~~ A plaque  
20 or plaques shall be placed in a publicly conspicuous location as described in Section 135(h)(4) of  
21 this Code outside the building at street level, or at the site of an any publicly-accessible outdoor open  
22 space. ~~The plaque shall satisfy the requirements of Section 135(h)(4) identifying the open space feature~~  
23 ~~and its location, stating the right of the public to use the space and the hours of use, describing its~~  
24 ~~principal required features (e.g., number of seats availability of food service) and stating the name and~~  
25 ~~address of the owner or owner's agent responsible for maintenance.~~

1 Section 5. The San Francisco Planning Code is hereby amended by amending Section  
2 603(k), to read as follows:

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

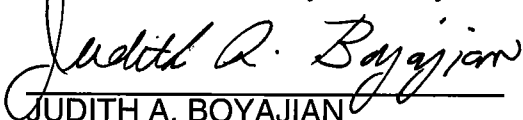
4 Nothing in this Article 6 shall apply to any of the following signs:

5 (k) Information plaques or signs which identify to the public open space resources,  
6 architectural features, creators of artwork, or otherwise provide information required by this  
7 Code or by other City agencies, or an identifying sign which directs the general public and/or  
8 patrons of a particular establishment to open space or parking resources, provided that such  
9 sign shall not project more than three inches from the wall and that its dimensions shall be no  
10 greater than 24 inches by 24 inches one by two feet.

11  
12 Section 6. Effective Date. This ordinance shall become effective 30 days from the  
13 date of passage.

14  
15 Section 7. This section is uncodified. In enacting this Ordinance, the Board intends to  
16 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,  
17 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are  
18 explicitly shown in this legislation as additions, deletions, Board amendment additions, and  
19 Board amendment deletions in accordance with the "Note" that appears under the official title  
20 of the legislation.

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

23 By:   
24 JUDITH A. BOYAJIAN  
25 Deputy City Attorney

Supervisor Chiu  
BOARD OF SUPERVISORS