



SAN FRANCISCO PLANNING DEPARTMENT

October 11, 2007

Joel Wineroth
L.A. Giacobbi & Co.
111 Maiden Lane
San Francisco, CA 94108

RE: **Request for Written Determination**
400 2nd Street, General Advertising Sign
Assessor's Block/Lots: 3763/001
Zoning: SSO (Service/Secondary office) District/40-X Height and Bulk Limit.

Dear Mr. Wineroth:

This letter is in response to your request of October 4, 2006 for a written determination as to whether the general advertising sign at the above location is a lawfully existing sign.

As you may be aware, shortly after receipt of your request, the Planning Department began an inventory of all general advertising signs in San Francisco to assist in responding to inquiries such as yours and in enforcing against unlawful signs. We have recently completed the inventory of signs in the South of Market and a review of permit history and can now respond to your request.

I find that the subject sign is a lawfully existing sign in that it was installed prior to the effective date of Proposition G with a duly issued permit that was approved under Section 607.2(e) prior to January 1, 2001. The San Francisco Department of Building Inspection approved Building Permit Application No. 993558 on February 24, 1999 to install a non-illuminated painted wall sign for general advertising use with maximum dimensions of 15 feet x 20 feet at a height of not more than the height limit of 40 feet.

However, I find the sign is neither in compliance with its approved permit nor with the Planning Code. The sign is estimated to be at least 15 feet by 30 feet in size and at a height of approximately 65 feet above grade. Further, Planning Code Section 604.1 requires that all general advertising signs must clearly display the sign company name, permit number and permitted dimensions. There is no such display on the sign. Section 604.2 requires that all sign owners in the City must submit to the Planning Department an inventory of their signs with an inventory processing fee of \$560 per sign. This sign has not been submitted in an inventory.

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Joel Wineroth
re: 400 2nd Street
October 11, 2007
Page 2

Your reference to Section 607.2(e)(2) does not apply to the subject sign but applies only to general advertising signs in the Chinatown Visitor Retail and Chinatown Community Business Districts. Section 607.2(e) references general advertising signs in all Mixed Use Districts, including the SSO District, where wall signs were permitted prior to January 1, 2001, provided the building wall forms a complete backdrop to the sign and no part of any windows are covered.

You must submit a building permit application to bring the sign into compliance with its originally authorized height and dimensions, and you must install identification placards with the sign company name, permit number and permitted dimensions on the sign. In addition, you must submit a \$560 inventory processing fee. Please make the check payable to "San Francisco Planning Department" and address it to 1650 Mission Street, Suite 400, San Francisco, CA 94103 (Attn: Jonathan Purvis). Otherwise, a notice of violation will be issued.

If you have any questions regarding this letter, please call Jonathan Purvis of my staff at (415) 558-6354, or by e-mail at jonathan.purvis@sfgov.org.

If you believe that this determination represents an error in interpretation of the Planning Code or abuse of discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1660 Mission Street, Room 3036, San Francisco, or call (415) 575-6880.

Sincerely,

Lawrence B. Badiner
Zoning Administrator

cc: Judy Boyajian, City Attorney
Lois Scott, Code Enforcement
Dario Jones, Code Enforcement
Jonathan Purvis, GA Sign Program

N:\ZA\DETERMIN\2007\400 2nd Street.doc