

July 28, 2009

Ballot Simplification Committee – Request for Reconsideration  
c/o Barbara Carr  
San Francisco Department of Elections, Publications Division  
1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102-4634

VIA E\_MAIL DELIVERY

**RE: Request for Reconsideration Mid-Market Special Sign District**

Dear Ms. Carr:

On behalf of my client and pursuant to the procedures of the Ballot Simplification Committee, I formally request reconsideration of the voter digest language on the Mid-Market Special Sign District.

Pursuant to the rules and regulations of the Ballot Simplification Committee (BSC), please reconsider the approved current digest for the Mid-Market Special Sign District specifically addressing the following provisions:

“This district would not be subject to the City-wide ban on new general advertising signs or the ban on all general advertising signs in the Market Street Special Sign District...

...New signs could be no larger than 500 feet and could include:

- Roof signs
- Wind signs
- Video signs
- Wall signs
- Signs with moving parts
- Signs with illumination

All signs would be subject to restrictions”

Registering specific types of signs permitted in the Mid-Market Special Sign District is contrary to precedent established in the ballot digest approved by the BSC for Proposition G in 2002. Prop G was adopted by the voters and the current initiative seeks an amendment from the controlling legislation.

The language adopted yesterday is misleading to voters as to the actual impact of the proposed Mid-Market Sign District ordinance. Please consider the following facts:

1) The original ban on new general advertising signs was enacted by the voters as Proposition G in 2002. The Ballot Digest (see attached) for Proposition G then stated:

“Proposition G is a City ordinance that would prohibit additional general advertising signs. This ordinance would allow existing general advertising signs to be moved to a new location, if current law permitted these signs at the new location....” (emphasis added).

For Proposition G, the BSC twice used only the words ‘general advertising’ to describe the signs affected by Proposition G. There is a significant difference and inconsistency in style and substance between how the BSC described Proposition G in 2002 and how the BSC proposes today to describe the proposed Mid-Market Sign District ordinance. For Proposition G, the BSC left the descriptions of the types of “general advertising” signs to be regulated by Proposition G to be determined by the definitions in the San Francisco Planning Code. In contrast, with respect to the proposed Mid-Market Sign District ordinance, the BSC has provided a list describing in detail the specific types of signs (e.g., wind, wall) that could be considered to be general advertising signs.

Inasmuch as the Mid-Market Special Sign District creates an exemption to Proposition G, logic, equality, and consistency should dictate that the same language and approach used for Proposition G should be accorded to the proposed Mid-Market Sign District ordinance. This is fair and reasonable.

2) Listing the types of signs permitted in the Mid-Market Special Sign District, must include a detailed description of the specialized, district-specific restrictions applicable to those signs embodied in the ordinance. Without doing so the BSC will be giving voters an inaccurate and skewed picture of the effects of the ordinance. For example, the ordinance specifically lists many restrictions on the general advertising signs that will be permitted in the Mid-Market Special Sign District including the following:

- Restrictions on illumination of the signs to keep light from permeating beyond the district boundaries
- Restrictions on the orientation of signs to ensure they are pedestrian based
- Restrictions on the covering of tenants’ windows
- Restrictions on video signs
- Restrictions on the height and position of signs from buildings

It would be misleading to specify in detail the types of signs that may be placed in the Mid-Market Special Sign District without referencing the substantial restrictions which will be the law if the measure is approved by voters.

Based on these objective vulnerabilities in the approved digest and the precedent discussed above, we respectfully request that the BSC take one of the following two actions.

- 1) Use the same exact language and syntax that was used for the benefit of the voters in the ballot simplification digest for Proposition G in 2002;

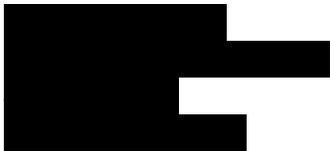
or

- 2) List the entire set of specific restrictions (see above list) that will be placed on each type of sign permitted in the Mid-Market Special Sign District so that voters are given a factually accurate and objective description of the kinds of general advertising signs that may exist in the Mid-Market Special Sign District upon adoption.

Thank you for your time and attention to this important matter.

Sincerely,

James Stearns



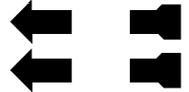
# Outdoor Commercial Advertising



## PROPOSITION G

Shall the City prohibit new outdoor commercial advertising signs and regulate relocation of existing outdoor commercial advertising signs?

YES  
NO



### Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** The City regulates the display of outdoor commercial signs. Signs that advertise goods or services sold somewhere other than where the sign is displayed, called “general advertising signs,” are permitted in some locations in the City. These signs are commonly called billboards.

**THE PROPOSAL:** Proposition G is a City ordinance that would prohibit additional general advertising signs. This ordinance would allow existing general advertising signs to be moved to a new location, if current law permitted these signs at the new location. A public hearing would be required before a sign could be moved.

**A “YES” VOTE MEANS:** If you vote yes, you want to prohibit additional general advertising signs and regulate relocation of existing general advertising signs.

**A “NO” VOTE MEANS:** If you vote no, you do not want to prohibit additional general advertising signs and regulate relocation of existing general advertising signs.

### Controller’s Statement on “G”

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition G:

Should the proposed initiative ordinance be approved by the voters, in my opinion, there would be no significant increase in the cost of government.

### How “G” Got on the Ballot

On December 4, 2001 the Department of Elections received a proposed ordinance signed by Supervisors Ammiano, Gonzalez, Leno, McGoldrick, and Peskin.

The City Elections Code allows four or more Supervisors to place an ordinance on the ballot in this manner.

THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 102  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 36