



PLANNING COMMISSION RESOLUTION NO. 21458

HEARING DATE: DECEMBER 7, 2023

Project Name: Permits to Install Business Signs to Historic Buildings or Buildings in Conservation Districts in the C-3 (Downtown) Area
Case Number: 2023-006996PCA [Board File No. 230834]
Initiated by: Supervisor Peskin / Introduced July 18, 2023/Substituted September 26, 2023
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RESOLUTION APPROVING WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 1005(e)(6) AND 1111.1 TO REQUIRE COMPLIANCE WITH THE PROCEDURES OF PLANNING CODE, ARTICLE 10 FOR CERTAIN WORK INVOLVING A BUSINESS SIGN ON A DESIGNATED LANDMARK SITE OR IN A DESIGNATED HISTORIC DISTRICT, AND TO REQUIRE A HEARING BEFORE THE HISTORIC PRESERVATION COMMISSION RATHER THAN AN ADMINISTRATIVE REVIEW BY PLANNING DEPARTMENT STAFF OF APPLICATIONS FOR A PERMIT TO INSTALL BUSINESS SIGNS TO A SIGNIFICANT OR CONTRIBUTORY BUILDING OR A BUILDING IN A CONSERVATION DISTRICT IN THE C-3 (DOWNTOWN) AREA, PROVIDED THAT THE PERMIT IS FOR A MAJOR ALTERATION; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on July 18, 2023 Supervisors Peskin introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 230834, which would amend the Planning Code to require a hearing before the Historic Preservation Commission rather than an administrative review by Planning Department staff of applications for a permit to install business signs to a Significant or Contributory building or a building in a Conservation District in the C-3 (Downtown) area, provided that the permit is for a Major Alteration;

WHEREAS, on September 26, 2023 Supervisors Peskin substituted proposed Ordinance under Board File Number 230834, which would amend the Planning Code to require compliance with the procedures of Planning Code,

Article 10 for certain work involving a business sign on a designated landmark site or in a designated historic district, and to require a hearing before the Historic Preservation Commission rather than an administrative review by Planning Department staff of applications for a permit to install business signs to a Significant or Contributory building or a building in a Conservation District in the C-3 (Downtown) area, provided that the permit is for a Major Alteration;

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on December 7, 2023; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Sections 15378 and 15060(c)(2); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The Commission's proposed recommendation(s) is/are as follows:

1. Modify Section 1111.6(c)(2) to maintain that all new business sign permits for Article 11 properties are eligible for over-the-counter permit review.
2. Remove new language under Section 1111.6(c) requiring Preservation Staff to prepare written findings affirming that the following scopes of work eligible for Over-the-Counter permits in Article 11 Conservation Districts downtown (C-3) meet the preservation guidelines and requirements of Planning Code Section 1111.6.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- The Commission finds that the proposed Ordinance provides additional oversight for Article 10 Landmark buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.
- The proposed Ordinance is inconsistent with 2023 Commercial to Residential Adaptive Reuse and

Downtown Economic Revitalization [Board File No. 230371] which aimed to support new and existing businesses downtown as part of the economic recovery impacted by Covid-19. The proposed modifications are intended to address his issue.

- The Commission finds that the proposed legislation will support Planning Department review of Articles 10 and 11 of the Planning Code by continuing to protect the special architectural, historical and aesthetic value of historic properties and to allow for maintenance and improvement of a healthy economy for the City.
- The proposed Ordinance with the Commission’s proposed modifications will ensure the streamline review of minor scopes of work within our Conservation Districts, while ensuring that projects meet the Secretary of the Interior’s Standards and maintaining the special historic environment of these properties and districts.

General Plan Compliance

The proposed Ordinance and the Commission’s recommended modifications are consistent with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT concerns the physical character and order of the city, and the relationship between people and their environment.

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

Policy 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.8

Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

The goal of the ordinance is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance. The proposed ordinance therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the subject property for the future enjoyment of San Francisco residents and visitors.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

Although the proposed Ordinance would not have an effect on neighborhood serving retail uses or opportunities, it may result in additional review times for new business signs on historic buildings.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would support the preservation of neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not

be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would support preservation of the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

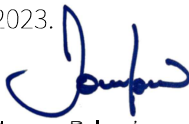
The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on December 7, 2023.


Jonas P. Ionin
Commission Secretary

Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2023.12.14 15:35:58 -08'00'

AYES: Braun, Ruiz, Diamond, Koppel, Tanner

NOES: Imperial, Moore

ABSENT: None

ADOPTED: December 7, 2023