

[Public Works Code - Streamlining Approvals of Commemorative Public Right-of-Way and Public Place Designations and Installation of Commemorative Street Plaques]

Ordinance amending the Public Works Code to streamline the requirements and approval processes for the commemorative designation of public right-of-way and public places and the installation of commemorative street plaques to honor sites, events, and persons of historical interest or significance to San Francisco; eliminating the requirement that Public Works hold a hearing on applications for a commemorative street plaque; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Environmental Findings.

The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. ____ and is incorporated herein by reference. The Board of Supervisors affirms this determination.

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Section 2. General Findings.

1 (a) San Francisco's fragmented and protracted permitting processes hinder small
2 businesses and impede housing development. A fast, predictable, and transparent permitting
3 process will create new jobs, businesses, and homes, as well as facilitate the City's economic
4 recovery from the COVID-19 pandemic. Commonly referred to as "PermitSF," the City's effort
5 to reform permitting and other City authorizations consists of improving the customer
6 experience by streamlining approval processes; promoting government accountability to
7 provide certainty about the delivery of government services; and centralizing technology to
8 create a single point of permitting access.

9 (b) This ordinance streamlines and clarifies the processes by which an applicant may
10 seek and obtain the City's approval to commemorate a site, event, or person of historical
11 interest or significance to San Francisco on a public right-of-way or a public place under the
12 Department of Public Works' jurisdiction whether by way of commemorative designation or the
13 installation of a commemorative street plaque.

14
15 Section 3. Article 15 of the Public Works Code is hereby amended by revising
16 Sections 789.1, 789.2, and 789.4, and repealing Section 789.3, to read as follows:

17
18 **SEC. 789.1. PURPOSE AND INTENT.**

19 The Board of Supervisors hereby finds and declares that:

20 (a) The City and County of San Francisco has a unique and important history that
21 should be preserved and commemorated for residents and visitors. The contributions of
22 certain sites, events, and people to the history of the City should be recognized.

23 (b) One method of preserving and honoring~~commemorating~~ such historical sites, events,
24 and people shall be commemoration by official designation by the Board of Supervisors. Another
25 method shall be the installation~~placement~~ of commemorative plaques, also known as

1 commemorative street plaques, upon public right-of-way~~streets~~ and public places following all
2 necessary review and approvals including approval by the Board of Supervisors, the Department of
3 Public Works (the “Department”), and the Arts Commission. Such plaques shall play an important
4 role in identifying locations of historical interest to residents and visitors.

5
6 **SEC. 789.2. REQUIREMENTS FOR COMMEMORATION BY DESIGNATION OR**
7 **COMMEMORATIVE STREET PLAQUE ~~APPLICATION, DESIGN, PLACEMENT, AND~~**
8 **INSTALLATION ~~PROCEDURES~~.**

9 This Section 789.2 ~~describes~~shall govern the ~~requirements~~procedures for commemoration
10 of historical sites, events, and persons in locations upon a public right-of-way, as defined in
11 Section 2.4.4 of this Code, street or public places, as defined in Section 244 of this Code. The
12 Board of Supervisors may commemorate historical sites, events, and persons by designating portions of
13 public right-of-way or public places and/or by authorizing the installation of commemorative plaques
14 on a public right-of-way or a public place.

15 (a) **Commemoration By Designation.** The Board of Supervisors may, by resolution,
16 designate a portion of a public right-of-way or a public place~~location on a public street or place~~ to
17 commemorate a site, event, or person of historical interest or significance to San Francisco,
18 ~~subject to the requirements of subsection (b) below.~~

19 (b) **Commemoration By Plaque Installation.** Any ~~applicant~~person seeking to
20 commemorate a site, event, or person of historical interest or significance to San Francisco by
21 placement and installation of a commemorative plaque ~~on a specific location~~ on a public right-
22 of-way~~sidewalk~~ or a public place shall obtain all necessary approvals from the Board of Supervisors
23 and the Arts Commission, and the applicant shall satisfy all applicable accessibility requirements. In
24 addition, the applicant shall file an application with the Department of Public Works, and shall
25 obtain all necessary permits and approvals from the Department for the commemorative

1 plaque, including any applicable major or minor sidewalk encroachment permits. The
2 ~~applicant, and~~ shall submit all required fees and shall provide the Department with all required
3 information including but not limited to the applicant's preferred locations for plaque installation,
4 alternative locations for plaque installation, and any security and/or evidence of insurance, as
5 may be required by the Department following the Department's review of the application. ~~Such~~
6 ~~application shall be filed upon forms prescribed by the Department, include all information required by~~
7 ~~the Department including, but not limited to, the applicant's preferred locations for plaque installation~~
8 ~~and alternative locations for plaque installation, and be accompanied by all required fees set by the~~
9 ~~Department.~~

11 **SEC. 789.3. [Reserved.]PUBLIC SCHEDULE, NOTICE AND CONDUCT OF HEARING.**

12 ~~(a) The Department shall set a time and place for a hearing thereon for a date not to exceed 90~~
13 ~~days from the date on which the complete application was received by the Department.~~

14 ~~(b) Notice of time, place and purpose of the hearing on the application for a commemorative~~
15 ~~plaque on a public street or place shall be as follows:~~

16 ~~——— (1) By mail, not less than 10 days prior to the date of the hearing, to the applicant(s).~~

17 ~~——— (2) By mail, not less than 10 days prior to the date of the hearing, to the owners of all~~
18 ~~real property fronting the specific location and the owners of all real property on either side of the~~
19 ~~specific location requested for commemoration. The Department shall use the names and addresses of~~
20 ~~the owners as shown on the latest city-wide assessment roll in the office of the Tax Collector.~~

21 ~~——— (3) By posting, not less than 10 days prior to the date of the hearing, in a public place~~
22 ~~near the specific location requested for commemoration.~~

23 ~~——— (4) Such other notice as the Department shall deem appropriate.~~

24 ~~(c) A record shall be kept of pertinent information presented at the hearing and such record~~
25 ~~shall be maintained as part of the permanent records of the Department. The Director of Public Works~~

1 ~~shall determine the instances in which applications scheduled for hearing may be continued. In such~~
2 ~~cases, new notice need not be given provided the date of any further hearing is announced at the~~
3 ~~previously scheduled hearing.~~

4
5 **SEC. 789.4. APPROVAL OF COMMEMORATIVE STREET PLAQUE INSTALLATION**
6 **DESIGNATION BY BOARD OF SUPERVISORS.**

7 (a) Approval Following Public Works' Review of a Complete Application. ~~Within 30 days~~
8 ~~after close of the Department's hearing, Following the Department's review of any complete~~
9 ~~commemorative street plaque application,~~ the Department shall forward the application, and ~~the~~
10 ~~Department's own report and~~ recommendation on the application, including any recommended
11 conditions of approval, to the Clerk of the Board of Supervisors. ~~The record of the hearing thereon~~
12 ~~and a list of all parties notified of the hearing shall be attached to the Department's recommendation.~~

13 (b) ~~The~~ Board of Supervisors shall hold a public hearing on any proposal so
14 transmitted. By resolution, ~~t~~The Board may approve, disapprove, or ~~modify and~~ approve with
15 modifications and conditions, the installation of commemorative street plaques at designation of a
16 specific locations on a public right-of-way~~street~~ or a public place to commemorate a site, event
17 or person of historical interest to San Francisco.

18 (be) Approval Prior To Submittal of Complete Application. ~~Alternatively, In the alternative,~~
19 ~~notwithstanding subsections (a) and (b),~~ the Board of Supervisors may elect to hold a hearing on
20 a proposal to commemorate a site, event, or person of historical interest to San Francisco
21 prior to the applicant's submittal of a complete application to the Department. ~~The Board of~~
22 Supervisors and may, by ~~elect to pass a~~ resolution, ~~approving the commemoration of a site, event, or~~
23 ~~person, and~~ authorizing the Director, or the Director's designee, to approve the installation of one
24 or more commemorative street plaques as specified in the resolution; following the Arts
25 Commission's approval of the plaque design and the Director's review of all permit application

1 materials, ~~to~~ The Department shall only approve the installation of commemorative street
2 plaques ~~at precise locations~~ that comply with the applicable engineering, installation, safety,
3 and siting criteria. The Department shall only approve the installation of commemorative street
4 plaques at specific locations that comply with the applicable engineering, installation, safety, and siting
5 criteria, and to designate these precise locations for commemoration of a site, event, or
6 person.

7 (c) Ownership, Maintenance, and Repair of Commemorative Plaques. Any resolution
8 approving the installation of a commemorative street plaque on a public right-of-way or a public place
9 shall identify the person or entity that owns the commemorative street plaque and the person or entity
10 that is responsible for maintaining and repairing the commemorative street plaque. If the owner of the
11 commemorative street plaque wishes to offer the commemorative street plaque, the maintenance and
12 repair of the commemorative street plaque, and/or funds for the maintenance and repair of the
13 commemorative street plaque as gifts to the City, the Board of Supervisors may accept such offers in
14 the resolution that approves the commemorative street plaque installation.

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16 Section 4. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.

20
21 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25 additions, and Board amendment deletions in accordance with the "Note" that appears under

1 the official title of the ordinance.

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3 APPROVED AS TO FORM:
4 DAVID CHIU, City Attorney

5 By: /s/ Christopher T. Tom
6 CHRISTOPHER T. TOM
Deputy City Attorney

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