

BOARD of SUPERVISORS



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MEMORANDUM

Date: April 3, 2024
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 240298
Commemorative Plaque - Peter Gabel - Noe Valley Farmers Market

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure
- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan
 - Planning Code, Section 101.1
 - Planning Code, Section 302
- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

1 [Commemorative Plaque - Peter Gabel - Noe Valley Farmers Market]

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3 **Ordinance designating a portion of the sidewalk on 24th Street between Sanchez and**
 4 **Vicksburg Streets, adjoining the Noe Valley Farmers Market, as the site of a future**
 5 **commemorative plaque in honor of Peter Gabel; granting the Public Works Director**
 6 **authority to approve the installation of a commemorative plaque at said location**
 7 **following the Director's review of all permit application materials and the approval of**
 8 **the plaque design by the Design Review Committee of the Arts Commission; waiving**
 9 **permit and inspection fees under the Public Works Code for the installation of the**
 10 **plaque; directing official acts in furtherance of this Ordinance, as defined herein; and**
 11 **affirming the Planning Department's determination under the California Environmental**
 12 **Quality Act.**

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

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

21 Section 1. Environmental Findings.

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

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Section 2. Commemoration of Peter Gabel.

(a) A law professor, writer, and community activist, Peter Gabel devoted his life to the creation of a world based on empathy, compassion, and mutual recognition of our common humanity.

(b) Peter Gabel was a Phi Beta Kappa graduate of Harvard College, a magna cum laude graduate of Harvard Law School, and the former president of New College of California, a non-traditional institution which emerged from the social idealism of the 1960s.

(c) Peter Gabel was a founder of the influential Critical Legal Studies movement, and his writings about law have contributed to the pursuit of a more humane, just, and socially connected society and have shown the ways that the principle of individual rights has both advanced and limited social movements. He co-founded and co-chaired the Project for Integrating Spirituality, Law, and Politics, a nationwide group of law teachers, lawyers, and law students who aspire to transform our adversarial, rights-based legal culture into a more inclusive, egalitarian, and community-based legal culture. In addition to authoring many articles in law reviews on the relationship between law and social change, Peter Gabel served as Editor-at-Large of the progressive Jewish magazine Tikkun, and was the author of three books: *The Bank Teller and Other Essays on the Politics of Meaning*; *Another Way of Seeing: Essays on Transforming Law, Politics, and Culture*; and *The Desire for Mutual Recognition Social Movements and the Dissolution of the False Self*.

(d) In the early 1970s, Peter Gabel served as the first chairperson of the City of Berkeley’s Police Review Commission, the first commission in the nation to provide for civilian review of complaints against police officers and build greater trust and understanding between communities and the police. After moving to San Francisco, he won election to the

1 Democratic County Central Committee and persuaded the Board of Supervisors to create the
2 Commission on National and Community Service, on which he served as chair.

3 (e) Peter Gabel was also a community leader in San Francisco’s Noe Valley
4 neighborhood, organizing to save the local bookstore, Cover to Cover, and to stand up for
5 workers fired for seeking to form a union at a local health food store. He was regarded by
6 many as “the Mayor of Noe Valley” and the conscience of the neighborhood. He co-founded
7 the Noe Valley Farmers Market to provide healthy food to its residents while supporting local
8 organic farmers and creating a public space that fosters community. The Noe Valley Farmers
9 Market is a rare neighborhood-run farmers market that was initially run solely by volunteers.

10 (f) The Noe Valley Farmers Market has proposed to install a commemorative
11 plaque in honor of Peter Gabel adjacent to the Noe Valley Farmers Market, and the Noe
12 Valley Farmers Market is committed to raising all funds necessary to design, fabricate, and
13 install this commemorative plaque. The Board of Supervisors supports the placement of a
14 commemorative plaque in honor of Peter Gabel at a site adjacent to the Noe Valley Farmers
15 Market.

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17 Section 3. Designation of Portion of Sidewalk Adjoining Noe Valley Farmers Market in
18 Commemoration of Peter Gabel.

19 In accordance with Public Works Code Section 789.2(a), the Board of Supervisors, in
20 recognition of the civic contributions of Peter Gabel, hereby designates the portion of sidewalk
21 on the southerly side of 24th Street between Sanchez and Vicksburg Streets, adjoining the
22 Noe Valley Farmers Market (“Noe Valley Farmers Market Sidewalk”), as the site of a future
23 commemorative plaque in honor of Peter Gabel.

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Section 4. Authorizing Public Works Director to Approve Commemorative Plaque Installation.

In accordance with Public Works Code Section 789.4(c), the Board of Supervisors approves the commemoration of Peter Gabel on a portion of the Noe Valley Farmers Market Sidewalk and authorizes the Public Works Director to approve the installation of one commemorative plaque on or about the Noe Valley Farmers Market Sidewalk, which approval is conditioned upon the approval of the plaque design by the Arts Commission’s Civic Design Review Committee and the Director’s review of all applicable permit application materials and determination that the proposed plaque installation complies with all applicable engineering, installation, safety, and siting criteria, and all other requirements of Public Works Code Sections 789 through 789.7.

Section 5. Fee Waiver.

Notwithstanding any contrary provision of the Public Works Code, the Board of Supervisors hereby waives all permit and inspection fees associated with the installation of the commemorative plaque in honor of Peter Gabel in accordance with this ordinance.

Section 6. Official Actions Directed.

(a) The Board of Supervisors directs Public Works to take all actions necessary to implement the intent of this ordinance, including approval of the installation of the aforementioned plaque, which shall be conditioned upon approval of the Civic Design Review Committee of the Arts Commission.

(b) The Board of Supervisors directs Public Works to add the subject sidewalk and commemorative plaque to the Official City Map of commemorative sites.

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Section 7. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

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

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LEGISLATIVE DIGEST

[Commemorative Plaque - Peter Gabel - Noe Valley Farmers Market]

Ordinance designating a portion of the sidewalk on 24th Street between Sanchez and Vicksburg Streets, adjoining the Noe Valley Farmers Market, as the site of a future commemorative plaque in honor of Peter Gabel; granting the Public Works Director authority to approve the installation of a commemorative plaque at said location following the Director's review of all permit application materials and the approval of the plaque design by the Design Review Committee of the Arts Commission; waiving permit and inspection fees under the Public Works Code for the installation of the plaque; directing official acts in furtherance of this Ordinance, as defined herein; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The Commemorative Street Plaque Ordinance (Public Works Code Sections 789 et seq.) set forth the procedures for commemoration of historical sites, events, and persons in locations upon a public street or place. Pursuant to Public Works Code Section 789.4, the Board of Supervisors may elect to hold a hearing on a proposal to commemorate a site, event, or person of historical interest to San Francisco prior to the submittal of a complete application to the Department of Public Works; in addition, the Board may approve the commemoration of a site, event, or person and authorize the Public Works Director to approve the installation of commemorative plaques at precise locations, following the Arts Commission's approval of the plaque design and the Director's review of all permit application materials for compliance with all the applicable engineering, installation, safety, and siting criteria.

Amendments to Current Law

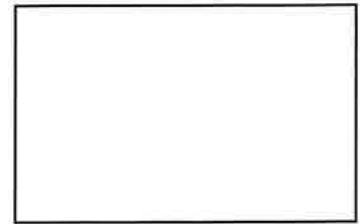
This ordinance would designate the portion of sidewalk on the southerly side of 24th Street, adjoining the Noe Valley Farmers Market (the "Noe Valley Farmers Market Sidewalk"), as the site of a future commemorative plaque in honor of Peter Gabel. In addition, the ordinance would authorize the Public Works Director to approve the installation of one commemorative plaque on or about the Noe Valley Farmers Market Sidewalk, which approval would be conditioned upon the approval of the plaque design by the Arts Commission's Civic Design Review Committee and the Director's review of all applicable permit application materials and determination that the proposed plaque installation complies with all applicable engineering, installation, safety, and siting criteria, and all other requirements of the Commemorative Street Plaque Ordinance. This ordinance would waive all permit and inspection fees associated with the installation of the commemorative plaque in honor of Peter Gabel.

FILE NO. 240298

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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor _____ inquires..."
- 5. City Attorney Request
- 6. Call File No. _____ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. _____
- 9. Reactivate File No. _____
- 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Mandelman

Subject:

[Peter Gabel - Commemorative Plaque - Noe Valley Farmers Market]

Long Title or text listed:

Ordinance designating a portion of the sidewalk on 24th Street between Sanchez and Vicksburg Streets, adjoining the Noe Valley Farmers Market, as the site of a future commemorative plaque in honor of Peter Gabel; granting the Public Works Director authority to approve the installation of a commemorative plaque at said location following the Director's review of all permit application materials and the approval of the plaque design by the Design Review Committee of the Arts Commission; waiving permit and inspection fees under the Public Works Code for the installation of the plaque; and directing official acts in furtherance of this ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act.

Signature of Sponsoring Supervisor: