



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 661 Public Works Code Change HEARING DATE: DECEMBER 15, 2010

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Project Name: **Banners on the Path of Gold**
Case Number: 2010.1085U [Board File No. 10-1445]
Initiated by: Supervisor Dufty / Introduced April 6, 2010
Staff Contact: AnMarie Rodgers, Manager Legislative Affairs
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Reviewed by: Tim Frye, Acting Historic Preservation Coordinator
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Recommendation: **Recommend Approval with Modifications**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS AN ORDINANCE THAT WOULD AMEND THE PUBLIC WORKS CODE SECTION 184.78 TO ALLOW NEIGHBORHOOD BANNERS, AS DEFINED IN SECTION 184.78 TO BE POSTED ON THE PATH OF GOLD LAMP POSTS LINING MARKET STREET; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.

PREAMBLE

Whereas, on November 22, 2010, Supervisor Dufty introduced a draft Ordinance that would amend the Public Works Code Section 184.78 to allow neighborhood banners, as defined in Section 184.78 to be posted on the Path Of Gold Lamp Posts lining Market Street; and

Whereas, on December 15, 2010, the San Francisco Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the proposed amendment have been determined to be categorically exempt from environmental review under Section 15060(c)(2) of the California Environmental Quality Act; and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented by Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance; and

MOVED, that the Commission hereby recommends that the Board of Supervisors recommends *approval with modifications of the proposed ordinance* and adopts the attached Draft Resolution to that effect. Specifically, the Commission has two concerns that should be addressed: 1) specification of a fastener or attachment structure that is reversible, and will not damage, obscure, or destroy any of the character-defining features associated with the Landmark and 2) specification of a procedure for Certificate of Appropriateness review as required by Article 10 of the Planning Code. The Commission recommends that the existing method of attachment be modified so as not to cause damage to the lampposts and so that any attachment would be completely reversible. There are a number of options for potential fasteners or attachment structures. The Commission recommends that Planning Preservation staff work with the Department of Public Works and the Historic Preservation Commission to find a method that is deemed to be appropriate and address the concerns outlined above. The Commission further recommends that the Department of Public Works (DPW) apply for a single programmatic "C of A", to provide review for the installation of all "city neighborhood banners" over the set period of time that conform to specific dimensions as described by DPW. As "C of A's are generally effective for three years, the Department recommends that the "C of A" to accompany the installation of the banners under this ordinance be effective for at least three years but could be effective for a longer period of time such as five to ten years.

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:

1. The Path of Gold Lampposts are attached to significant historical events and people in San Francisco and were designated as City Landmark Number 200 in 1991.
2. Currently the rainbow banners that were meant to mark the annual gay pride event in June have been left on the posts throughout the year.
3. The proposed amendment to the Public Works Code would enable the banners to be sponsored and financially supported throughout the year. This will ensure proper maintenance and upkeep of the banners by the fiscal sponsor.
4. Therefore, the Commission recommends *approval of the proposed Ordinance with the modifications specified above*.
5. **General Plan Compliance.** The proposed Ordinance is, on balance, consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

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.

The proposed Ordinance would help to maintain the identity of Market Street and orient people to the specific neighborhoods that dwell along the corridor.

OBJECTIVE 2

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

The Path of Gold represents a significant landmark that provides a visual link to important elements of San Francisco's heritage.

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.

The proposed Ordinance with the recommended modifications would help to ensure that any banners are attached in an appropriate manner and that the banner can be maintained by the fiscal sponsor.

6. The proposed replacement project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:
- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinance would not significantly impact existing neighborhood-serving retail uses or opportunities for employment in or ownership of such businesses.
 - B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed Ordinance will not impact existing housing and will provide opportunities for strengthening neighborhood character.
 - C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance will not impact the City's supply of affordable housing.
 - D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

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

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposed Ordinance with the recommended modifications will help to ensure that the lampposts along the Path of Gold are not damaged by water and may therefore be less likely to fail in the event of an earthquake.

- G) That landmark and historic buildings will be preserved:

The proposed Ordinance with the recommended modifications will help preserve Landmark Number 200, The Path of Gold.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed Ordinance will not impact the City's parks and open space.

I hereby certify that the Historic Preservation Commission ADOPTED the foregoing Resolution on December 15, 2010.



Linda Avery
Commission Secretary

AYES: Commissioners Chase, Damkroger, Hasz, Martinez, Wolfram, Buckley, and Matsuda.

NAYS: None

RECUSED: None

ABSENT: None

ADOPTED: December 15, 2010