

SAN FRANCISCO
PLANNING COMMISSION
RESOLUTION NO. 17527

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTIONS 188, 603, and 604 AND ADD SECTION S602.25 AND 602.26 IN ORDER TO ALLOW FOR THE RECONSTRUCTION, REHABILITATION, OR RESTORATION OF NONCOMPLYING HISTORIC MOVIE THEATRE PROJECTING SIGNS AND MARQUEES.

WHEREAS, on October 16, 2007, Supervisor Mirkarimi introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 07-1431 which would amend Planning Code Sections 188 (Noncomplying Structures), Section 603 (Exempted Signs), Section 604 (Permits and Conformity Required), and add Sections 602.25 (Movie Theater Projecting Sign) and 602.26 (Movie Theater Marquee), in order to allow for the reconstruction, rehabilitation, or restoration of noncomplying movie theatre projecting signs and marquees.

The proposed zoning changes have been determined to be subject to a General Rule Exclusion (GRE) under CEQA Guidelines Section 15060(c)(2) (Non-physical Exemption).

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on January 10, 2008.

San Francisco has a long, rich history of theater and live entertainment. Even prior to the 1906 earthquake and fire, the city enjoyed many nickelodeons and theatres. From 1906 until the 1960's, San Francisco was known for its large number and variety of movie theatres. These theatres were located along Market Street (Fox Theatre, Orpheum, Granada, and Golden Gate), in the Mission (El Capitan, New Mission Theatre) and throughout the city's neighborhoods (Kornet, Harding Theatre, Metro Theatre, Presidio Theatre). In 1949, there were 79 movie theatres in San Francisco. ¹ The theatres were characterized by exuberant architectural styles, ranging from Beaux-Arts and Mission Revival to Art Deco and Moorish. Despite the varied architectural styles of movie theatres throughout the city, two character-defining features characterized almost every movie house: a long vertical projecting sign that featured the name of the establishment, often in illuminated letters, and a large projecting marquee at the entrance, with elaborate detailing and which contained information about the shows.

Beginning in the 1950's, movie theatre attendance began to decline, as television became the more favored form of entertainment. That, combined with the decline of downtown San Francisco, suburbanization and other factors of urban decay, resulted in the closures and eventual demolition of many movie theatres throughout the city. However, despite the decline in attendance, closures and demolitions, today San Francisco is one of only a couple American cities with a large number of surviving movie theatre buildings.²

In November 2004, the Board of Supervisors passed Ordinance 270-04, which established a requirement for Conditional Use Authorization from the Planning Commission for any demolition or change in use of a movie

¹ Tillmany, Jack. *Theatres of San Francisco*. Arcadio Publishing, 2005. pg. 7.

² Ibid.

theatre. This Ordinance acknowledged the importance of the historic movie theatres to the history and character of San Francisco. Often these buildings are rehabilitated into new uses and the character-defining elements of the buildings such as the facades, entrances, and interior spaces, are restored.

However, the Planning Code does not permit the reconstruction, rehabilitation, or restoration of the historic projecting signs and marquees. The problem arises because noncomplying structures cannot be enlarged, altered, relocated, or intensified under Section 188. Movie theatre projecting signs and marquees are elements that would typically be governed by Article 6 of the Code: Signs. Within Article 6 there are no provisions for these types of signage features. Generally, Article 6 has more restrictive controls over the size and amount of signage permitted. Historic movie theatre projecting signs and marquees exceed these limits and are by default classified as nonconforming structures under Section 180. Therefore, under the Code, these historic character-defining features of movie theatre buildings cannot be reconstructed, rehabilitated, or restored.

The Planning Code, as currently written, does not permit two of the character-defining features of movie theatres to be reconstructed, rehabilitated, or restored: projecting signs and marquees. This deficiency in the Code is a large obstacle for many projects to reuse historic movie theatres. Many projecting signs and marquees are in a severely deteriorated condition and must be replaced or have been removed altogether. As currently written, the Code will not permit them to be retrofitted or replaced.

The proposed Ordinance will amend the Planning Code to enable the historic movie theatre projecting signs and marquees to be reconstructed, rehabilitated, and restored. It will allow these features to once again be the prominent features of historic movie theatre buildings. The proposed Code changes are narrowly written so that no general advertising may be placed on these features; they may only display signage that is associated with the name of the business or those uses housed in the building, or the historic name of the theatre. Further, documentary or physical evidence of the dimensions, materials, placement, and details of the historic projecting sign and marquee is required before a permit will be issued. Lastly, the Code will be amended to permit the Planning Department and Planning Commission to disapprove applications that do not meet the requirements of Section 188, the General Plan, Department policies, and the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.³

Along with the proposed changes, the proposed amendments to the Planning Code are consistent with the following provisions of the *Commerce and Industry Element* of the General Plan. Staff discussion is in italics.

Objective 6: Maintain and strengthen viable neighborhood commercial areas easily accessible to city residents.

1. POLICY 6.8: Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

³ The *Standards* are a series of concepts developed by the National Park Service to provide guidance regarding the maintenance, repair, and replacement of historic materials, as well as designing new additions or making alterations to historic buildings. There are four approaches:

- **Preservation** focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.
- **Rehabilitation** acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.
- **Restoration** depicts a property at a particular period of time in its history, while removing evidence of other periods.
- **Reconstruction** re-creates vanished or non-surviving portions of a property for interpretive purposes.

The *Standards* can be found at: http://www.nps.gov/history/hps/tps/standards_guidelines.htm.

The proposed Ordinance promotes the preservation and restoration of San Francisco's historic movie theatres by permitting the reconstruction, rehabilitation, or renovation of two character-defining features of these buildings: projecting signs and marquees.

2. POLICY 6.10: Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The proposed Ordinance promotes the adaptive reuse of the historic movie theatres throughout San Francisco's neighborhoods, and often these projects serve the adjacent community and are anchors of further economic renovation.

The proposed amendments to the Planning Code are consistent with Section 101.1(b) of the Planning Code in that:

1. The proposed amendments would preserve and promote neighborhood-serving retail uses and future opportunities for resident employment in and ownership of such businesses because the proposed amendments would allow for the reconstruction, rehabilitation, or renovation of historic theatre signs and marquees, and by allowing these buildings to be reused for neighborhood-serving uses.
2. The proposed amendments would allow for the continued presence and economic viability of existing neighborhood establishments while not negatively affecting existing residential development, housing or neighborhood character.
3. The City's supply of affordable housing would be unaffected by the proposed Code amendments, which are aimed primarily toward existing commercial spaces.
4. The proposed amendments will not impact commuter traffic, MUNI transit service, or streets and neighborhood parking.
5. By allowing for the renovation of historic movie theatre signs and marquees, a diverse economic base and the viability of our service sector, as well as future opportunities for resident employment and ownership in this sector, would be enhanced by the adaptive reuse of theatre buildings.
6. Preparedness against injury and loss of life in an earthquake would be unaffected by the proposed amendments.
7. The proposed amendments will incentivize the preservation, renovation, or restoration of San Francisco's historic theatre buildings, many of which are individual landmarks under Article 10 of the Planning Code, and/or are cultural landmarks and significant to San Francisco's history
8. Parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments.

These amendments will enable the significant character-defining features of historic movie theatres to be restored. The Planning Commission, with the staff at the Planning Department, has been actively working to ensure that San Francisco's historic movie theatre legacy will remain and fully supports this proposed Ordinance.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance in order to allow historic movie theatre buildings to preserve and restore the marquees and signs, as described in this Resolution and in the proposed Ordinance.

PLANNING COMMISSION
Hearing on January 10, 2008

Case No. 2007.1246T
Historic Movie Theatre Signs & Marquees
Resolution No. 17527
Page 4

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting January 10, 2008.

Linda Avery
Commission Secretary

AYES: Olague, Moore, B. Lee, S. Lee, Suguya, Antonini

NOES:

ABSENT: Alexander

ADOPTED: January 10, 2008