
ARTICLE 11:

PRESERVATION OF BUILDINGS AND DISTRICTS OF ARCHITECTURAL, HISTORICAL, AND AESTHETIC IMPORTANCE IN THE C-3 DISTRICTS

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SEC. 1101. FINDINGS AND PURPOSES.

(a) It is hereby found that a substantial number of the buildings in the C-3 District have a special architectural, historical, and aesthetic value. These buildings contribute substantially to San Francisco's reputation throughout the United States as a City of outstanding beauty and physical harmony. A substantial number of these special buildings have been and continue to be unnecessarily destroyed or impaired, despite the feasibility of preserving and continuing their use, and without adequate consideration for the irreplaceable loss to the people of the City of their aesthetic, cultural, historic and economic value.

(b) It is further found that distinct and definable subareas within the C-3 District possess concentrations of buildings that together create a unique historic, architectural, and aesthetic character which contributes to the beauty and attractiveness of the City. The quality of these geographic areas has been and continues to be degraded by the unnecessary demolition of buildings of substantial architectural and aesthetic merit, by their replacement with buildings which conflict with the character and scale of the area, and by alteration of buildings in a manner which conflicts with the character and scale of the area.

(c) It is therefore declared that the protection, enhancement, and perpetuation of buildings and definable subareas of special architectural, historical, and aesthetic interest is necessary to promote the health, safety, prosperity and welfare of the people of the City. Accordingly, the purposes of this Article are:

(1) The protection, enhancement, and perpetuation of structures and subareas of special architectural, historical, and aesthetic character which contribute to the urban environment;

(2) The maintenance and improvement of a healthy economy for the City by enhancing both property values and the City's attractiveness as a place to do business;

(3) The protection and improvement of the City's attractiveness to tourists and other visitors, and the stimulus to business provided thereby;

(4) The enrichment of the educational, cultural, aesthetic and spiritual life of the inhabitants of the City by fostering knowledge of the heritage of the City's past and retaining the quality of the City's urban environment.

(d) It is further found that the use of Transferable Development Rights ("TDR") as provided herein is necessary to promote the urban planning and design goals of the General Plan by:

(1) maintaining appropriate overall development capacities in each zoning district within the C-3 area, as defined by applicable floor area, height, bulk and other parameters;

(2) encouraging and directing development into the Special Development District in order to maintain a compact downtown financial district; and

(3) facilitating the retention of Significant Buildings and Contributory Buildings, and the compatible replacement or alteration of Unrated buildings in Conservation Districts, as defined in this Article.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Divisions (d) and (d)(3) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1102. STANDARDS FOR DESIGNATION OF BUILDINGS.

The buildings in the C-3 Districts are divided into five categories according to the Building Rating methodology as set forth and explained in the Preservation of the Past section of the Downtown Plan, a component of the General Plan. Those categories are as follows:

(a) **Significant Buildings - Category I.** Buildings that:

- (1) Are at least 40 years old; and
- (2) Are judged to be Buildings of Individual Importance; and
- (3) Are rated Excellent in Architectural Design or are rated Very Good in both Architectural Design and Relationship to the Environment.

(b) **Significant Buildings - Category II.** Buildings:

- (1) That meet the standards in Section 1102(a) above; and
- (2) To which, because of their depth and relationship to other structures, it is feasible to add different and higher replacement structures or additions to height at the rear of the structure, even if visible when viewing the principal facades, without affecting their architectural quality or relationship to the environment and without affecting the appearance of the retained portions as separate structures when viewing the principal facades. The designation of Category II Buildings shall identify for each building the portion of the building beyond which such additions may be permitted.

(c) **Contributory Buildings - Category III.** Buildings that:

- (1) Are located outside a designated Conservation District; and
- (2) Are at least 40 years old; and
- (3) Are judged to be Buildings of Individual Importance; and
- (4) Are rated either Very Good in Architectural Design or Excellent or Very Good in Relationship to the Environment.

(d) **Contributory Buildings - Category IV.** Buildings that:

- (1) Are located in a designated Conservation District; and
- (2) Are at least 40 years old; and
- (3) Are judged to be Buildings of Individual Importance, and are rated either Very Good in Architectural Design or Excellent or Very Good in Relationship to the Environment.
- (4) Are judged to be Buildings of Contextual Importance and are rated Very Good in Architectural Design and/or Excellent or Very Good in Relationship to the Environment.

(e) **Unrated Buildings - Category V.** Buildings that are not designated as Significant or Contributory.

(Amended by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Minor style amendments throughout; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1102.1. DESIGNATION OF BUILDINGS.

The buildings in the C-3 District are classified as follows:

(a) **Significant Buildings - Category I.** The buildings listed in Appendix A to this Article 11 are hereby designated as Significant Buildings - Category I.

(b) **Significant Buildings - Category II.** The buildings listed in Appendix B to this Article 11 are hereby designated as Significant Buildings - Category II.

(c) **Contributory Buildings - Category III.** The buildings listed in Appendix C to this Article 11 are hereby designated as Contributory Buildings - Category III.

(d) **Contributory Buildings - Category IV.** The buildings listed in Appendix D to this Article 11 are hereby designated as Contributory Buildings - Category IV.

(e) **Unrated Buildings - Category V.** All buildings in the C-3 District not otherwise designated in this Section are hereby designated as Unrated - Category V.

(Added by Ord. 414-85, App. 9/17/85; reenacted by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1103. STANDARDS FOR DESIGNATION OF CONSERVATION DISTRICTS.

Portions of the C-3 District may be designated as Conservation Districts if they contain substantial concentrations of buildings that together create subareas of special architectural and aesthetic importance. Such areas shall contain substantial concentrations of Significant and Contributory Buildings and possess substantial overall architectural, aesthetic or historic qualities justifying additional controls in order to protect and promote those qualities.

(Added by Ord. 414-85, App. 9/17/85; reenacted by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1103.1. CONSERVATION DISTRICT DESIGNATIONS.

The following Conservation Districts are hereby designated for the reasons indicated in the appropriate Appendix:

- (a) The Kearny-Market-Mason-Sutter Conservation District is hereby designated as set forth in Appendix E.
- (b) The New Montgomery-Mission-Second Street Conservation District is hereby designated as set forth in Appendix F.
- (c) The Commercial-Leidesdorff Conservation District is hereby designated as set forth in Appendix G.
- (d) The Front-California Conservation District is hereby designated as set forth in Appendix H.
- (e) The Kearny-Belden Conservation District is hereby designated as set forth in Appendix I.
- (f) The Pine-Sansome Conservation District is hereby designated as set forth in Appendix J.

(Added by Ord. 414-85, App. 9/17/85; reenacted by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

AMENDMENT HISTORY

Division (b) amended; Ord. [182-12](#), Eff. 9/7/2012.

SEC. 1104. RESERVED.

(Added by Ord. 414-85, App. 9/17/85; repealed by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1105. RESERVED.

(Added by Ord. 414-85, App. 9/17/85; repealed by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1106. PROCEDURES FOR CHANGE OF DESIGNATION AND DESIGNATION OF ADDITIONAL SIGNIFICANT AND CONTRIBUTORY BUILDINGS.

Buildings may be designated as Significant or Contributory or their designation may be changed through amendment of Appendices A, B, C and D of this Article. Such designation or change of designation shall be governed by the following provisions in lieu of the provisions of Section 302:

(a) **Initiation.** The designation or change of designation of a Significant or Contributory building may be initiated by motion of the Board of Supervisors, by resolution of the Historic Preservation Commission (HPC), by the verified application of the owner or authorized agent of the affected property, by the application of any organization or group that has historic preservation stated as one of its goals in its bylaws or articles of incorporation, or by the application of at least 50 registered voters of the City. Except in the case of initiation by governmental bodies, any such application shall contain historic, architectural, and/or cultural documentation to support the initiation or change of designation as well as any additional information that may be required by the application procedures and policies established by the HPC. If initiated by motion of the Board of Supervisors, the Clerk of the Board of Supervisors shall refer the matter to the HPC for its review and recommendation prior to passage by the Board of Supervisors, without referral to the Planning Commission.

(b) **Notice; Referral to the HPC; Review by the Planning Department.** Upon determination by the Department that a verified application is complete and contains all necessary information or upon receipt of the motion or resolution of one of the governmental bodies set forth in Subsection (a) above, the Department shall:

(1) promptly schedule a hearing before the HPC on the proposed designation or change of designation; and

(2) send notice of the hearing by mail no less than 20 days prior to the date of the hearing to the owner(s) of the affected property; the applicant(s), if any, for the designation or change in designation; to the owners of all properties within 150 feet of the affected property; and to any interested parties who so request in writing to the Department.

(c) **Action by the Historic Preservation Commission.** The proposed designation or change of designation shall be placed on the agenda of the HPC for public hearing. The HPC shall determine the appropriate designation or change in designation of the building. If the HPC approves or modifies the proposed designation or change of designation in whole or in part, it shall transmit its recommendation, together with a copy of the resolution, to the Clerk of the Board of Supervisors without referral to the Planning Commission.

(d) **Designation by Board of Supervisors.** The Board of Supervisors, or a committee thereof, shall hold a public hearing on any proposal so transmitted to it. The Board of Supervisors may approve, modify and approve, or disapprove the designation or change of designation by a majority vote of all its members.

(e) **Appeal to Board of Supervisors.** If the HPC disapproves the proposed designation or change of designation, such action shall be final except upon the filing of a notice of appeal to the Board of Supervisors within 30 days by the applicant or any of the persons, organizations or groups listed in Section 1106(a); provided, however, that if the proposal was initiated by the Board of Supervisors, the Clerk of the Board shall be notified immediately of the disapproval without the necessity for an appeal.

(f) **Hearing and Decision by the Board of Supervisors.** The Board of Supervisors, or a committee thereof, shall hold a public hearing on any such proposal appealed to it or initiated by it. The Board of Supervisors may uphold the HPC, overrule the HPC and approve, or modify and approve, the designation or change of designation by a majority vote of all its members.

(g) **Notice of Board of Supervisors Proceedings.** Notice of the hearing scheduled before the Board of Supervisors, and of the availability of applicable reports, shall be given by mail no less than 20 days prior to the date of the hearing to the initiators of the designation or change of designation, to the owner(s) of any affected building, to any appellants, and to any other interested person or organization who so requests in writing to the Department.

(h) **Grounds for Designation or Change of Designation.** The designation of a building may be changed if

(1) changes in the area in the vicinity of a building located outside a Conservation District warrant a change in the rating of the building with respect to its relationship to the environment and therefore place it in a different category, pursuant to Section 1102; or

(2) changes in Conservation District boundaries make a building of Contextual Importance fall outside a Conservation District and therefore no longer eligible for designation as a Contributory building, or, conversely, make a building of Contextual Importance fall within a Conservation District and therefore eligible for designation as a Contributory Building; or

(3) changes in the physical features of the building due to circumstances beyond the control of the owner, or otherwise permitted by this Article, warrant placing the building in a different category pursuant to the standards set forth in Section 1102; or

(4) restoration of the building to its original quality and character warrants placing the building in a different category pursuant to the standards set forth in Section 1102; or

(5) by the passage of time, the building has become at least 40 years old, making it eligible to be considered for designation as a Significant or Contributory building, pursuant to Section 1102; or

(6) the discovery of new factual information (for example, information about the history of the building) makes the building eligible for rating as a Building of Individual or Contextual Importance and, therefore, eligible to be designated as a Significant or Contributory Building.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header, undesignated introductory paragraph, and divisions (a), (b), (c), (e), (f), and (g) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1107. PROCEDURES FOR DESIGNATION OF ADDITIONAL CONSERVATION DISTRICTS OR BOUNDARY CHANGE OF CONSERVATION DISTRICTS.

A Conservation District may be designated or its boundary changed through amendment of Section 1103.1 of this Article 11. The HPC may recommend approval, disapproval, or modification of Conservation District designations or boundary changes to the Board of Supervisors. Such designation or boundary change shall be governed by the following provisions in lieu of the provisions of Section 302.

(a) **Initiation of Designation or Boundary Change.** The designation of an area of the C-3 District as a Conservation District or the change of District boundaries may be initiated by motion of the Board of Supervisors, by resolution of the HPC, upon the verified application of the owners or other authorized agents of greater than 25 percent of the structures in the area proposed for designation (or, as to an alteration, 25 percent of the structures of the proposed new district unless it would be an area smaller than the existing district, in which case it shall be 25 percent of the structures of the existing district), upon the verified application of any organization or group that has historic preservation stated as one of its goals in its bylaws or articles of incorporation, or upon the verified application of at least 150 registered voters of the City. Except in case of an initiation by governmental bodies, any such application shall contain historic, architectural, and/or cultural documentation to support the designation or boundary change as well as any additional information that may be required by the application procedures and policies established by the HPC.

(b) **Notice; Referral to the Historic Preservation Commission; Review by the Planning Department.** If a proposed Conservation District designation or boundary change is initiated by the Board of Supervisors, the Clerk of the Board shall refer the matter to the HPC for its review and recommendation. Upon determination by the Planning Department that a verified application is complete and contains all necessary information or upon receipt of a motion or resolution by the Board of Supervisors or the HPC initiating designation or a change in designation, the Department shall

(1) promptly schedule a hearing before the HPC on the proposed district or boundary change; and

(2) send notice of the HPC hearing by mail no less than 20 days prior to the date of the hearing to the initiators of the designation or boundary change, to the owners of all lots within the proposed new district or the district being modified, and to any interested parties who make a request in writing to the Department.

(c) **Action by the HPC.** The proposed designation or boundary change shall be placed on the agenda of the HPC for public hearing. If the HPC approves or modifies the proposed designation or boundary change in whole or in part, the Department shall transmit the HPC's recommendation together with a copy of the HPC's resolution and with any comments of the Planning Commission, as set forth in subsection (d) below, to the Clerk of the Board of Supervisors.

(d) **Review by the Planning Commission.** Following action by the HPC, the Department shall promptly refer the HPC's recommendation on the proposed Conservation District designation or boundary change to the Planning Commission, which shall have 45 days to review and comment on the proposed designation or boundary change. The Planning Commission's comments, if any, shall be forwarded to the Board of Supervisors together with the HPC's recommendation. Notice of the Planning Commission hearing shall be given as provided in Section 1107(b) of this Article. The Planning Commission's comments shall be transmitted to the Board of Supervisors as a resolution and shall

(1) address the consistency of the proposed boundary change with the policies embodied in the General Plan and the priority policies of Section 101.1, particularly the provision of housing to meet the City's Regional Housing Needs Allocation, and the provision of housing near transit corridors;

(2) identify any amendments to the General Plan necessary to facilitate adoption of the proposed boundary change; and

(3) evaluate whether the proposed boundary change would conflict with the Sustainable Communities Strategy for the Bay Area.

(e) **Designation by Board of Supervisors.** The Board of Supervisors, or a committee thereof, shall hold a public hearing on any proposal so transmitted to it. The Board of Supervisors may approve, modify and approve, or disapprove the designation or boundary change by a majority vote of all its members.

Prior to the Board of Supervisors' vote on a proposed boundary change, the Planning Department shall conduct thorough outreach to affected property owners and occupants. The Planning Department shall invite all property owners and occupants in the area covered by the proposed boundary change to express their opinion on the proposed boundary change. Such invitation shall advise owners of the practical consequences of the adoption of the proposed boundary change, including the availability of preservation incentives, the types of work requiring a Permit to Alter, the process and fees for obtaining a Permit to Alter, and the types of work that is generally ineligible to receive a Permit to Alter.

(f) **Appeal to Board of Supervisors.** If the HPC disapproves the proposed designation or boundary change, such action shall be final except upon the filing of a notice of appeal to the Board of Supervisors within 30 days by the applicant or any of the persons, organizations, or groups listed in Section 1107(a); provided, however, that if the proposal

was initiated by the Board of Supervisors, the Clerk of the Board shall be notified immediately of the disapproval without the necessity for an appeal.

(g) **Hearing and Decision by the Board of Supervisors.** The Board of Supervisors, or a committee thereof, shall hold a public hearing on any such proposal appealed to it or initiated by it. The Board of Supervisors may uphold the HPC, overrule the HPC and approve, or modify and approve, the designation or boundary change by a majority vote of all its members.

(h) **Notice of Board of Supervisors Proceedings.** Notice of the hearing scheduled pursuant to this Section shall be given by mail no less than 20 days prior to the date of the hearing to: the applicants for the designation or alteration, if any; the owners of all lots within the proposed new district or the district being altered; appellants, if any; and to interested individuals or organizations who request such notice in writing to the Planning Department.

(i) **Standards Applicable to Designation or Boundary Change.** The standards governing the designation and change of District boundaries are those set forth in Section 1103. Areas may be removed from Conservation Districts if the character of the area has changed such that the area no longer qualifies under the standards set forth in Section 1103.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Undesignated introductory paragraph and divisions (a), (b), and (c) amended; new division (d) added and former divisions (d) through (h) redesignated as divisions (e) through (i) accordingly; divisions (e), (f), (g), and (h) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1108. NOTICE OF DESIGNATION.

When a building has been designated Significant or Contributory or its designation is changed pursuant to Section 1106, or when a new Conservation District is established or the boundary of a Conservation District changed pursuant to Section 1107, the Planning Department shall notify each affected property owner by mail and shall cause a copy of the ordinance, or notice thereof, to be recorded with the County Recorder. The Planning Department shall file in its permanent records any new designation or change in designation of a Significant or Contributory Building or a new Conservation District or change of Conservation District boundary and shall notify the Central Permit Bureau pursuant to Section 1117 of this Article.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1109. PRESERVATION LOTS: ELIGIBILITY FOR TRANSFER OF DEVELOPMENT RIGHTS.

Lots on which are located Significant or Contributory Buildings or Category V Buildings in those certain Conservation Districts and portions thereof as indicated in Section 8 of the Appendix relating to that District are eligible preservation lots as provided in Section 128 of this Code for the purposes of Transferable Development Rights ("TDR"), as provided in this Section:

(a) **Significant Buildings.** Lots on which are located buildings designated as Significant Buildings - Category I or Category II - are eligible to transfer the difference between the allowable gross floor area permitted on the lot by Section 124 of this Code and the gross floor area of the development on the lot, if all the requirements for transfer set forth in Section 128 are met. Lots on which are located Significant Buildings which have been altered in conformance with the provisions of this Article retain eligibility for the transfer of TDR.

(b) **Contributory Buildings.** Lots on which are located buildings designated as Contributory Buildings - Category III or Category IV - are eligible to transfer the difference between the allowable gross floor area permitted on the lot by Section 124 of this Code and the gross floor area of the development on the lot, if all the requirements for transfer set forth in Section 128 are met. Alteration or demolition of such a building in violation of Section 1110, or alterations or demolitions made without a permit issued pursuant to Sections 1111 through 1111.7, eliminates eligibility for the transfer of TDR; provided, however, that such eligibility may nonetheless be retained or acquired again if, pursuant to Section 1116(b), the property owner demonstrates as to any alteration that it was a Minor Alteration as defined in this Article and has applied for a Permit for Minor Alteration pursuant to Section 1111.1; or that the property owner has obtained a Permit to Alter to restore the original distinguishing qualities and character-defining features that were altered. Once any TDR have been transferred from a Contributory Building, the building is subject to the same restrictions on demolition and alteration as a Significant Building. These restrictions may not be removed by the transfer of TDR back to the building.

(c) **Category V Buildings in Conservation Districts.** Where explicitly permitted in Section 8 of the Appendix establishing a Conservation District, lots located in such a District on which are located Category V Buildings (designated as neither Significant nor Contributory) are eligible to transfer the difference between the allowable gross floor area permitted on the lot under Section 124 of the Code and the gross floor area of the development on the lot, if all the requirements for transfer set forth in Section 128 are met; provided, however, that a lot is eligible as a Preservation Lot pursuant to this Section only if:

(1) the exterior of the building is substantially altered so as to make it compatible with the scale and character of the Significant and Contributory Buildings in the district, including those features described in Sections 6 and 7 of the Appendix to Article 11 describing the relevant district, and has thus been determined by the HPC to be a Compatible Rehabilitation, and the building meets or has been reinforced to meet the standards for seismic loads and forces of the Building Code ; or

(2) the building on the lot is new, having replaced a Category V Building, and has received approval by the HPC as a Compatible Replacement Building, pursuant to Section 1113.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Undesignated introductory paragraph and divisions (b) and (c) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1110. CONSTRUCTION, ALTERATION OR DEMOLITION OF SIGNIFICANT OR CONTRIBUTORY BUILDINGS OR BUILDINGS IN CONSERVATION DISTRICTS.

(a) No person shall carry out or cause to be carried out any construction, alteration, removal or demolition of a structure or any work involving a sign, awning, marquee, canopy, mural, or other appendage, or any new or replacement construction for which a permit is required pursuant to the Building Code, on any designated Significant or Contributory Building or any building in a Conservation District unless a permit for such work has been approved pursuant to the provisions of this Article 11. Notwithstanding the foregoing, when the application is for a permit to maintain, repair, rehabilitate, or improve streets and sidewalks, including sidewalk widening, accessibility, and bulb-outs, the Planning Department shall process the permit without further reference to this Article 11, unless such streets and sidewalks have been explicitly called out in a conservation district's designating ordinance as character-defining features of the district.

(b) The HPC shall approve, disapprove, or modify all applications for permits to alter or demolish any Significant or Contributory Buildings or buildings within Conservation Districts, and permits for any new and replacement construction within Conservation Districts, subject to appeal as provided in Section 1115 of this Article 11. The HPC shall review and act on such permits prior to any other Planning approval action(s). Buildings or areas within the C-3 District designated pursuant to the provisions of both Article 10 and Article 11 shall be regulated pursuant to the procedures of both Articles. In case of conflict, the more restrictive provisions shall apply.

(c) If the proposed work would constitute a demolition as defined in Section 1005(f) of this Code, such work shall, in addition to any other requirements, be subject to the provisions of this Article 11 governing demolitions and shall require a "Permit to Demolish." All other proposed construction or alteration of a structure, including any new or replacement construction, or any work involving a sign, awning, marquee, canopy, mural, or other appendage work, but excepting ordinary maintenance and repairs, shall require a "Permit to Alter."

(d) No person shall demolish or cause to be demolished a Significant or Contributory Building or any building in a Conservation District without obtaining a Permit to Demolish and, if located within a Conservation District, a permit for a Compatible Replacement Building.

(e) If at any time following the approval of a Permit to Alter, changes are proposed to the scope of work such that the proposed new scope of work, if approved, would constitute a demolition as defined herein, the owner shall file a new application for a Permit to Demolish and shall obtain such approval prior to proceeding with the proposed new scope of work.

(f) A building permit application or amendment for any work that exceeds the scope of work of an approved Permit to Alter or Permit to Demolish shall be referred to the Planning Department by the Central Permit Bureau for HPC review and approval pursuant to this Article 11 before the permit may be approved or issued.

(g) Notwithstanding the foregoing, in the following cases the Department may process the permit application without further reference to this Article 11:

(1) When the application is for a permit for ordinary maintenance and repairs only. For the purpose of this Article 11, "ordinary maintenance and repairs" shall mean any work, the sole purpose and effect of which is to correct deterioration, decay or damage of existing materials, including repair of damage caused by fire or other disaster.

(2) When the application is for a permit to construct any new or replacement structures on a site where a Significant or Contributory Building has been lawfully demolished pursuant to this Code and the site is not within a designated Conservation District; or

(3) When the application is for a permit to make interior alterations only and does not constitute a demolition as defined in this Article, unless the Planning Department has determined that the proposed interior alterations may result in any visual or material impact to the exterior of the building or when the designating ordinance or applicable Appendix in this Article requires review of such interior alterations.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111. APPLICATIONS FOR PERMITS TO ALTER, PERMITS TO DEMOLISH, AND PERMITS FOR NEW CONSTRUCTION IN CONSERVATION DISTRICTS.

Upon receipt of any application for a building permit, demolition permit, site permit, alteration permit, or any other permit relating to a Significant or Contributory Building or a building within a Conservation District, the Central Permit Bureau shall forward such application to the Planning Department for determination as to whether the application is subject to the provisions of this Article and, if so, for approval under this Article. An application for a Permit to Alter or Permit to Demolish or for new and replacement construction in any Conservation District shall be filed by the owner or authorized agent for the owner of the property for which the permit is sought with the Planning Department. Each application shall be verified by at least one property owner or his or her authorized agent attesting to the truth and correctness of all facts, statements and information presented.

(a) **Content of Applications.** The content of applications shall be in accordance with the policies, rules and regulations of the Department and the HPC. All applications shall be on forms prescribed therefore and shall contain or be accompanied by all information required to assure the presentation of all pertinent facts for proper consideration of the case and for the permanent record. Applications shall include the following information:

(1) Plans, sections and elevations showing all existing and proposed work, including but not limited to color, texture of materials, architectural design, profile, and detail;

(2) All demolition calculations and associated detail drawings showing all interior and exterior alterations associated with the proposed scope of work, including but not limited to any changes to the exterior and internal structural framework, floor plates, removal of interior walls, or changes to the foundation;

(3) Specifications describing the means and methods associated with the proposed scope of work, including any technical specifications for all exterior restoration or cleaning work;

(4) Photographs showing the property and the context of its surroundings;

(5) Any other information that the Department determines may be necessary for the particular scope of work proposed; and

(6) Information needed for the preparation and mailing of notices as specified in Section 1111.4.

(b) In addition to the contents specified for applications in (1) above, any application for a Permit to Demolish a Significant Building or a Contributory Building from which TDR have been transferred shall also contain the following information:

(1) An updated historic resource evaluation and conditions assessment report that includes any pertinent information on the condition of the building and historical, architectural, and cultural documentation about the building;

(2) The amount paid for the property;

(3) The date of purchase, the party from whom purchased, and a description of the business or family relationship, if any, between the owner and the person from whom the property was purchased;

- (4) The cost of any improvements since purchase by the applicant and date the improvements were made;
- (5) The assessed value of the land, and improvements thereon, according to the most recent assessments;
- (6) Real estate taxes for the previous five years;
- (7) Annual debt service, if any, for the previous five years;
- (8) All appraisals obtained within the previous five years by the owner or applicant in connection with his or her purchase, financing or ownership of the property;
- (9) Any listing of the property for sale or rent, price asked and offers received, if any;
- (10) Any consideration by the owner for profitable and adaptive uses for the property, including renovation studies, plans, and bids, if any;
- (11) If it is a Preservation Lot eligible to transfer TDR, the amount and value of such untransferred TDR;
- (12) Annual gross income from the property for the previous five years;
- (13) Itemized operating and maintenance expenses for the previous five years;
- (14) Annual cash flow for the previous four years;
- (15) Building plans, elevations, sections, detail drawings, and any other information required for the Replacement Building;
- (16) The Statement of Eligibility as set forth in Section 128;
- (17) An itemized list of the amount of TDR that has been transferred from the property;
- (18) The amount received for rights transferred;
- (19) The transferee(s); and
- (20) A copy of each document effecting a transfer of such rights.

(c) An application for a Permit to Demolish any building located in a Conservation District or an application for new construction on vacant lots shall include plans, specifications and elevations showing the proposed exterior appearance, including but not limited to color, texture of materials, and architectural design and detail, for the replacement construction.

(d) **Category V Buildings (Unrated).** The owner or owner's representative of a Category V building located in a Conservation District may apply for one of the following:

(1) **Compatible Rehabilitation.** An applicant for a Permit to Alter a Category V Building (Unrated) may request on the application a determination by the HPC that if the proposed alteration is completed as approved, the building will be deemed a Compatible Rehabilitation under Section 1109(c) so that the lot on which the building is located becomes eligible as a Preservation Lot for the transfer of TDR.

(2) **Compatible Replacement Building.** An applicant for new construction in a Conservation District on a lot where a Category V Building (Unrated) has been lawfully demolished may request on the application a determination by the HPC that if the proposed new construction is completed as approved, the new building will be deemed a Compatible Replacement Builder under Section 1109(c) so that the lot on which the building is located becomes eligible as a Preservation Lot for the transfer of TDR.

(e) **Permit and Application Fee Waivers.** In cases of economic hardship, an applicant may be partially or fully exempt from paying fees pursuant to Section 350(e)(2).

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.1. DETERMINATION OF MINOR AND MAJOR ALTERATIONS.

(a) The HPC shall determine if a proposed alteration is a Major Alteration or a Minor Alteration and may delegate approval of Minor Alterations to Department staff, whose decisions may be appealed to the HPC pursuant to subsection

1111.1(b). All work not determined to be a Minor Alteration shall be a Major Alteration and subject to HPC approval. If so delegated to Department staff, the categories of Minor Alteration shall include but are not limited to the following:

- (1) Alterations whose sole purpose and effect is to comply with the UMB Seismic Retrofit Ordinances and that comply with the UMB Retrofit Architectural Design Guidelines, which guidelines shall be adopted by the HPC; or
- (2) Any other work so delegated to the Department by the HPC.

(b) Minor Alterations delegated to Department staff shall be approved, approved with modifications, or disapproved as a Permit for Minor Alteration by the Department without a hearing before the HPC. The Department shall mail its written decision approving a Permit for Minor Alteration to the applicant and any individuals or organizations who have so requested in writing to the Department. The Department's decision may be appealed to the HPC within 15 days of the date of the written decision. The HPC may also review the decisions of the Department by its own motion if such motion is made within 20 days of the date of the written decision.

(c) All applications for a Permit to Alter that are not Minor Alterations delegated to Department staff shall be approved, approved with modifications, or disapproved by the HPC pursuant to the procedures in Section 1111.4 and 1111.5 below.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. 227-92, App. 7/14/92; Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended substantially in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.2. SIGN PERMITS.

(a) New general advertising signs are prohibited in any Conservation District or on any historic property regulated by this Article 11.

(b) If a permit for a sign is required pursuant to Article 6 of this Code, the requirements of this Section shall apply to such permit in addition to those of Article 6.

(c) In addition to the requirements of Article 6, an application for a business sign, general advertising sign, identifying sign, or nameplate to be located on a Significant or Contributory Building or any building in a Conservation District shall be subject to review by the HPC pursuant to the provisions of this Article. The HPC shall disapprove the application or approve it with modifications if the proposed location, materials, typeset, size of lettering, means of illumination, method of replacement, or the attachment would adversely affect the special architectural, historical or aesthetic significance of the subject building or the Conservation District. No application shall be denied on the basis of the content of the sign.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.3. REVIEW BY THE PLANNING DEPARTMENT.

The Department shall review all applications and shall determine within 30 days after the application is filed whether the application is complete. Applications for Minor Alterations that have been delegated to Department staff may be approved by the Department pursuant to Section 1111.1 without a hearing before the HPC. Upon acceptance as complete of an application that is not a Minor Alteration or upon appeal to or a request by the HPC to exercise its review powers over a Minor Alteration as set forth in 1111.1, the HPC shall hold a hearing and approve, approve with modifications, or disapprove the application in accordance with the procedures set forth in this Section 1111.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.4. SCHEDULING AND NOTICE OF HISTORIC PRESERVATION COMMISSION HEARINGS.

(a) If a public hearing before the HPC is required under this Section 1111, the Department shall set a time and place for the hearing within a reasonable period. Notice of the time, place, and purpose of the hearing shall be given by the Department not less than 20 days prior to the date of the hearing as follows:

- (1) By mail to the owner of the subject property;
- (2) By mail to the applicant;
- (3) By mail to any interested parties who make a request in writing to the Department;
- (4) For applications for a building located in a Conservation District, by mail to the owners of all real property within 300 feet of the subject property;
- (5) For applications for a building not located in a Conservation District, by mail to the owners of all real property within 150 feet of the subject property;
- (6) By posting notice on the site; and
- (7) By any other means as the Department deems appropriate.

(b) **Notice for HPC review of Minor Permits to Alter.** A hearing for the HPC to exercise its review powers over a Minor Permit to Alter shall be noticed:

- (1) By mail not less than 10 days prior to the date of the hearing to the applicant, all owners within 150 feet of the subject property, as well as to any other interested parties who so request in writing to the Department; and
- (2) By posted notice on the site not less than 10 days prior to the date of the hearing.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.5. DECISION BY THE HISTORIC PRESERVATION COMMISSION.

(a) The HPC may approve, disapprove, or approve with conditions an application for a Permit to Alter or a Permit to Demolish and, where applicable for new or replacement construction, for a determination that the building is a Compatible Rehabilitation under Section 1113 or a Compatible Replacement Building under Section 1109(c), and shall make findings in support of its decision.

(b) For applications for a Permit to Demolish, the applicant has the burden of establishing that the criteria governing the approval of applications set forth in Section 1111.7 have been met.

(c) The decisions of the HPC shall be final except upon modification by the Planning Commission as provided in Section 1114 or upon the filing of a timely appeal to the Board of Appeals or Board of Supervisors as provided in Section 1115.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; previously undesignated paragraph designated as division (a) and amended; divisions (b) and (c) added; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.6. STANDARDS AND REQUIREMENTS FOR REVIEW OF APPLICATIONS FOR ALTERATIONS.

The HPC, the Board of Appeals, the Board of Supervisors, the Planning Commission, and the Department shall be governed by the following standards in the review of applications for Permits to Alter. In the case of conflict with other requirements, including the requirements of Article 10, the more restrictive standards shall apply.

(a) The proposed alteration shall be consistent with and appropriate for the effectuation of the purposes of this Article 11.

(b) The proposed work shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties for significant and contributory buildings, as well as any applicable guidelines, local interpretations, bulletins, or other policies. Development of local interpretations and guidelines based on the Secretary of the Interior's Standards shall be led by the Planning Department through a public participation process; such local interpretations and guidelines shall be found in conformance with the General Plan and Planning Code by the Planning Commission and shall be adopted by both the HPC and the Planning Commission. If either body fails to act on any such local interpretation or guideline within 180 days of either body's initial hearing where the matter was considered for approval, such failure to act

shall constitute approval by that body. In the case of any apparent inconsistency among the requirements of this Section, compliance with the requirements of the designating ordinance shall prevail.

(c) For Significant Buildings - Categories I and II, and for Contributory Buildings - Categories III and IV, proposed alterations of structural elements and exterior features shall be consistent with the architectural character of the building, and shall comply with the following specific requirements:

(1) The distinguishing original qualities or character of the building may not be damaged or destroyed. Any distinctive architectural feature which affects the overall appearance of the building shall not be removed or altered unless it is the only feasible means to protect the public safety.

(2) The integrity of distinctive stylistic features or examples of skilled craftsmanship that characterize a building shall be preserved.

(3) Distinctive architectural features which are to be retained pursuant to Paragraph (1) but which are deteriorated shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, if available, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures. Replacement of nonvisible structural elements need not match or duplicate the material being replaced.

(4) Contemporary design of alterations is permitted, provided that such alterations do not destroy significant exterior architectural material and that such design is compatible with the size, scale, color, material and character of the building and its surroundings.

(5) The degree to which distinctive features need be retained may be less when the alteration is to exterior elements not constituting a part of a principal facade or when it is an alteration of the ground-floor frontage in order to adapt the space for ground-floor uses.

(6) In the case of Significant Buildings - Category I, any additions to height of the building (including addition of mechanical equipment) shall be limited to one story above the height of the existing roof, shall be compatible with the scale and character of the building, and shall in no event cover more than 75 percent of the roof area.

(7) In the case of Significant Buildings - Category II, a new structure or addition, including one of greater height than the existing building, may be permitted on that portion of the lot not restricted in Appendix B even if such structure or addition will be visible when viewing the principal facades at ground level, provided that the structure or addition does not affect the appearance of the retained portion as a separate structure when so viewing the principal facades and is compatible in form and design with the retained portion. Alteration of the retained portion of the building is permitted as provided in Paragraphs (1) through (6) of this Subsection (c).

(d) Within Conservation Districts, all major exterior alterations, of Category V Buildings, shall be compatible in scale and design with the District as set forth in Sections 6 and 7 of the Appendix which describes the District.

(e) If TDR have been transferred from any Contributory Building, the building shall be subject to the same restrictions on alterations as a Significant Building. These restrictions may not be removed by the transfer of TDR back to the building.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Undesignated introductory paragraph amended; new division (b) added and former divisions (c) and (d) redesignated accordingly; division (e) added; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1111.7. STANDARDS AND REQUIREMENTS FOR REVIEW OF APPLICATIONS FOR DEMOLITION.

(a) The HPC, Planning Commission, Board of Appeals, and the Board of Supervisors (each referred to as a "Decisionmaker" for the purposes of this Section) shall apply the following standards in their review of applications for a Permit to Demolish a Significant or Contributory Building or building within a Conservation District. No demolition permit may be approved unless:

(1) For Significant Buildings (Categories I and II); and Contributory Buildings (Categories III and IV) from which TDR have been transferred:

(A) The Decisionmaker determines and makes written findings based on substantial evidence in the record that the property retains no substantial remaining market value or reasonable use, taking into account the value of any TDR that have been transferred or which may be available to transfer from the property and the cost of rehabilitation to meet the requirements of the Building Code or City, State and federal laws. Costs necessitated by alterations or demolition made in violation of Article 10 or 11, or by failure to maintain the property in violation of Section 1119, may not be included in the calculation of rehabilitation costs; or

(B) The Director of the Department of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines after consultation, to the extent feasible with the HPC and the Planning Department, that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety.

(2) For Contributory Buildings from which no TDR has been transferred:

(A) The Decisionmaker determines and makes written findings based on substantial evidence in the record that the property retains no substantial remaining market value or reasonable use, taking into account the value of any TDR that may be available to transfer from the property and costs of rehabilitation to meet the requirements of the Building Code or City, State and federal laws. Costs necessitated by alterations or demolition made in violation of Article 10 or 11, or by failure to maintain the property in violation of Section 1119, may not be included in the calculation of rehabilitation costs:

(B) The Director of the Department of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after consultation to the extent feasible with the HPC and the Planning Department, that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety; or

(C) The Decisionmaker determines based on substantial evidence in the record that:

(i) The rehabilitation and reuse of the building will not meet most of the goals and objectives of the proposed replacement project;

(ii) The proposed replacement project is compatible with the Conservation District in which the property is located; and

(iii) Specific economic, social, or other benefits of the proposed replacement project significantly outweigh the benefit conferred from the historic preservation of the particular structure or feature.

(3) For Category V Buildings (Not Rated) in Conservation Districts: The Decisionmaker determines that: (A) the building has not gained additional historical or architectural significance that may make it eligible for classification as a Category I, II, or IV Building; and (B) the proposed Replacement Building is compatible with the Conservation District in which the property is located. If the Decisionmaker determines based on new documentation presented that a Category V Building has gained significance such that it is eligible for classification as a Category I, II, or IV Building and reclassification of the Category V Building is initiated as provided in Section 1106, the Permit to Demolish shall be reviewed under Subsection (a)(1) or (a)(2) above, and not under this Subsection (a)(3). Additionally, if the building has completed a Compatible Rehabilitation pursuant to Section 1109(c), and has transferred development rights from the property, then the building shall be treated as a Significant Building (Category I or II). Any determination that a Category V Building may be eligible for reclassification shall be void if, within 180 days of such determination, the Board of Supervisors has not re-designated the building to a Category I, II, or IV Building.

(b) The cumulative effects on the integrity of the Conservation District associated with demolition of a Contributory Building shall be considered and may be grounds for denial of the Permit to Demolish, if it is found that the demolition would substantially diminish the integrity of the Conservation District.

(c) In addition to the above requirements, no demolition permit shall be issued by the Department of Building Inspection or any other agency for any building located in a Conservation District until an application for the new or replacement building has been approved in accordance with the standards for new construction in a Conservation District as provided in this Article, and the building or site permit conforming to such approval has been lawfully issued.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. 140-06, File 052921, App. 6/22/2006; Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; section amended in its entirety; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1112. RESERVED.

(Added by Ord. 414-85, App. 9/17/85; deleted by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1113. STANDARDS OF REVIEW FOR NEW AND REPLACEMENT CONSTRUCTION IN CONSERVATION DISTRICTS.

(a) The HPC, Planning Commission, Board of Appeals, and Board of Supervisors shall find in their review of applications for any new or replacement structure or for an addition to any existing structure in a Conservation District that such construction is compatible in scale and design with the District as set forth in Sections 6 and 7 of the Appendix that describes the District.

(b) Applications for a building or site permit to construct or add to a structure in any Conservation District shall be reviewed and approved, approved with modifications, or disapproved by the HPC before any other Planning approval action that may be required, including review by the Planning Commission pursuant to the procedures set forth in Section 309 and shall only be approved pursuant to Section 309 if they meet the standards set forth in this Article. For projects that require Section 309 review, the Planning Commission may modify the decision of the HPC pursuant to Section 1114, provided that the project does not concern a designated Significant (Categories I and II) or a Contributory (Category III) building.

(c) If a building or site permit application to construct or add to a structure in any Conservation District is approved by the HPC pursuant to this Article without modification by the Planning Commission and if the building is constructed in accordance with such approval, and if the building is located in a Conservation District for which, pursuant to Section 8 of the Appendix establishing that district, such a transfer is permitted, the building shall be deemed a Compatible Replacement Building, and the lot on which such building is located shall be eligible as a Preservation Lot for the transfer of TDR.

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Section header amended; formerly undesignated paragraph amended and designated as divisions (a), (b), and (c); Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1114. MODIFICATION OF A DECISION OF THE HISTORIC PRESERVATION COMMISSION.

For projects that require multiple planning approvals, the HPC shall review and act on any Permit to Alter or Permit to Demolish before any other Planning approval action.

(a) For projects that require a Conditional Use Authorization or Permit Review under Section 309 and do not concern a Significant Building (Categories I & II) or a Contributory Building (Category III only), the Planning Commission may modify any decision on a Permit to Alter or Permit to Demolish by a two-thirds vote, provided that the Planning Commission shall apply all applicable historic resources provisions of this Code.

(b) For projects to be located on vacant lots, the Planning Commission may modify any decision on a Permit to Alter by a two-thirds vote, provided that the Planning Commission shall apply all applicable historic resources provisions of this Code.

(Added by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1114 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1116 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1115. APPEAL.

The HPC's or the Planning Commission's decision on a Permit to Alter or a Permit to Demolish shall be final unless appealed to the Board of Appeals, which may modify the decision by a four-fifths vote; provided, however, that if the project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a Conditional Use Authorization, the decision shall not be appealed to the Board of Appeals but rather to the Board of Supervisors, which may modify the decision by a majority vote. Any appeal must be made within 30 days after the date of the final action by the HPC or Planning Commission.

(Added by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1115 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1117 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

SEC. 1116. UNLAWFUL ALTERATION OR DEMOLITION.

(a) In addition to any other penalties provided in Section 1120 or elsewhere, alteration or demolition of a Significant or Contributory Building or any building within a Conservation District in violation of the provisions of this Article shall eliminate the eligibility of the building's lot as a Preservation Lot. Such a lot may not be developed in excess of the floor area ratio of the demolished building for a period of 20 years from the unlawful demolition, if it is the site of an unlawfully demolished Significant Building (Category I or II), or Contributory Building (Category III) or the site of an unlawfully demolished Contributory Building (Category IV) from which TDR have been transferred. No department shall approve or issue a permit that would authorize construction of a structure contrary to the provisions of this Section.

(b) A property owner may be relieved of the penalties provided in Subsection (a) if:

(1) as to an unlawful alteration, the owner can demonstrate to the HPC that the violation would have constituted a Minor Alteration and has applied for a Permit for Minor Alteration to legalize the violation; or

(2) as to an unlawful alteration, the owner restores the original distinguishing qualities and character of the building destroyed or altered, including exterior character-defining spaces, materials, features, finishes, exterior walls and exterior ornamentation. A property owner who wishes to effect a restoration pursuant to Subsection (b)(2) shall, in connection with the filing of a building or site permit application, seek approval of the proposed restoration by reference to the provisions of this Section. If the HPC approves the application and determines that the proposed work will effect adequate restoration, the HPC shall so find. Upon approval and the completion of work, the lot shall again become an eligible Preservation Lot and the limitation on floor area ratio set forth in Subsection (a) shall not thereafter apply. The HPC may not approve the restoration unless it first finds that the restoration can be done with a substantial degree of success. The determination under this Subsection (b)(2) is a final administrative decision.

(Formerly codified as Sec. 1114; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1116 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1118 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1114 redesignated as current Sec. 1116; divisions (a), (b)(1), and (b)(2) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1117. CONFORMITY WITH OTHER CITY PERMIT PROCESSES.

Except where explicitly so stated, nothing in this Article shall be construed as relieving any person from other applicable permit requirements. The following requirements are intended to insure conformity between existing City permit processes and the provisions of this Article:

(a) Upon the designation of a building as a Significant or Contributory Building, or upon the designation of the Conservation District, the Planning Department shall inform the Central Permit Bureau of said designation or, in the case of a Conservation District, of the boundaries of said District and a complete list of all the buildings within said District and their designations. The Central Permit Bureau shall maintain a current record of such Buildings and Conservation Districts.

(b) Upon receipt of any application for a building permit, demolition permit, site permit, alteration permit, or any other permit relating to a Significant or Contributory Building or a building within a designated Conservation District, the Central Permit Bureau shall forward such application to the Planning Department. If the Planning Department determines that the application is subject to provisions of this Article, processing shall proceed under the provisions of this Article. The Central Permit Bureau shall not issue any permit for construction, alteration, removal or demolition of any structure, or for any work involving a Significant or Contributory Building or a building within a Conservation District unless either the Planning Department has determined that such application is exempt from the provisions of this Article, or processing under this Article is complete and necessary approvals under this Article have been obtained. The issuance of any permit by a City department or agency that is inconsistent with any provision of this Article may be revoked by the Director of the Department of Building Inspection pursuant to the provisions of the San Francisco Building Code.

(c) No abatement proceedings or enforcement proceedings shall be undertaken by any department of the City for a Significant or Contributory building or a building within a Conservation District without, to the extent feasible, prior notification of the Planning Department and the HPC. Such proceedings shall comply with the provisions of this Article where feasible.

(Formerly codified as Sec. 1115; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1117 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1119 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1115 redesignated as current Sec. 1117; divisions (a), (b), and (c) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1118. UNSAFE OR DANGEROUS CONDITIONS.

Where the Director of the Department of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that a condition on or within a Significant or Contributory Building is unsafe or dangerous and determines further that repair or other work rather than demolition will not threaten the public safety, said official shall, after consulting with the Planning Department and the HPC, to the extent feasible, determine the measures of repair or other work necessary to correct the condition in a manner which, insofar as it does not conflict with State or local requirements, is consistent with the purposes and standards set forth in this Article.

(Formerly codified as Sec. 1116; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1116 redesignated as current Sec. 1118; section amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1119. MAINTENANCE REQUIREMENTS AND ENFORCEMENT THEREOF.

(a) **Maintenance.** The owner, lessee, or other person in actual charge of a Significant or Contributory Building shall comply with all applicable codes, laws and regulations governing the maintenance of property. It is the intent of this Section to preserve from deliberate or inadvertent neglect the exterior features of buildings designated Significant or Contributory, and the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such buildings shall be preserved against such decay and deterioration and free from structural defects through prompt corrections of any of the following defects:

- (1) Facades which may fall and injure members of the public or property;
- (2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;
- (3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;
- (4) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors;
- (5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering;
- (6) Any fault or defect in the building which renders it not properly watertight or structurally unsafe.

(b) **Enforcement Procedures.** The procedures set forth in Building Code Sections 114 through 116 governing unsafe buildings or property shall be applicable to any violations of this Section.

(Formerly codified as Sec. 1117; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1119 added by Ord. 414-85, App. 9/17/85; amended by Ord. 57-08, File No. 071651, App. 4/10/2008; redesignated as Sec. 1120 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1117 redesignated as current Sec. 1119; division (b) amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1120. ENFORCEMENT AND PENALTIES.

Enforcement and Penalties shall be as provided in Sections 176 and 176.1 of this Code.

(Formerly codified as Sec. 1119; redesignated by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1120 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1121 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1119 redesignated as current Sec. 1120; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1121. RELATIONSHIP TO ARTICLE 10.

Buildings or areas within the C-3 District designated pursuant to the provisions of both Article 10 and Article 11 shall be regulated pursuant to the procedures of both Articles. In case of conflict, the more restrictive provision shall control.

Notwithstanding the rating of a building in a C-3 District pursuant to the provisions of Article 11, buildings may be designated as landmarks according to the provisions of Article 10.

(Formerly codified as Sec. 1120; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1121 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1122 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1120 redesignated as current Sec. 1121; former third undesignated paragraph deleted; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1122. NOTICE OF AMENDMENT.

Notice of the hearing before the HPC and the first hearing before the Board of Supervisors, of a proposed amendment to this Article which materially alters the limitations and requirements applicable to any building or class of buildings shall be given to the owners of such buildings by mail.

(Formerly codified as Sec. 1121; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1122 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1123 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1121 redesignated as current Sec. 1122; section amended; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1123. NOTICE PROCEDURE.

When any provision of this Article requires notice by mail to a property owner, the officer or body providing the notice shall use for this purpose the names and addresses as shown on the latest citywide Assessment Roll in the Assessor's Office.

(Formerly codified as Sec. 1122; redesignated by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1123 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1124 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1122 redesignated as current Sec. 1123; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1124. TIME PROVISIONS.

Unless otherwise indicated, all time provisions governing the taking of action by City officials are directory and not mandatory.

(Formerly codified as Sec. 1123; redesignated by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

(Former Sec. 1124 added by Ord. 414-85, App. 9/17/85; redesignated as Sec. 1125 by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1123 redesignated as current Sec. 1124; Ord. [95-12](#), Eff. 6/20/2012.

SEC. 1125. SEVERABILITY.

If any part of this Article 11 is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Article 11 or any part thereof. The Board of Supervisors hereby declares that it would have passed all portions of this Article and any amendments thereto irrespective of the fact that any one or more portions be declared unconstitutional or invalid.

(Formerly codified as Sec. 1124; redesignated and amended by Ord. [95-12](#), File No. 120301, App. 5/21/2012, Eff. 6/20/2012)

AMENDMENT HISTORY

Former Sec. 1124 redesignated as current Sec. 1125; section amended; Ord. [95-12](#), Eff. 6/20/2012.

APPENDICES TO ARTICLE 11

APPENDIX A TO ARTICLE 11 CATEGORY I BUILDINGS

CATEGORY I BUILDINGS

<i>Address of Building</i>	<i>Block</i>	<i>Lot(s)</i>	<i>Name of Building</i>
22 Battery	266	6	Postal Telegraph
98 Battery	266	8	Levi Strauss
99 Battery	267	1	Donahoe
100 Bush	267	4	Shell
130 Bush	267	9	Heineman
200 Bush	268	2	Standard Oil
225 Bush	289	1, 7	Standard Oil
381 Bush	288	17	Alto
445 Bush	287	25	Pacific States
460 Bush	270	33	Fire Station No. 2
564 Bush	271	12	Notre Dame des Victoires
158 California	236	5	Marine
240 California	237	9	Tadich's Grill (Buich)
260 California	237	11	Newhall
301 California	261	1	Robert Dollar Bldg.
341 California	261	10A	Harold Dollar Bldg.
400 California	239	3	Bank of California
433 California	260	16	Insurance Exchange
465 California	260	15	Merchants Exchange
554 Commercial	228	22	
564 Commercial	228	23	
569 Commercial	228	11	PG&E Station J
119 Ellis	330	23	Continental Hotel
42 - 50 Fell	814	10	
67 Fifth	3705	21, 23	Pickwick Hotel
231 First	3737	23	
234 First	3736	6	Phillips
54 Fourth	3705	4	Keystone Hotel
150 Franklin	834	12	Whiteside Apts.
251 Front	237	1	DeBernardi's
2 Geary	310	6	
10 Geary	310	5	Schaidt
28 Geary	310	8	Rosenstock
108 Geary	309	4	Marion
120 Geary	309	5	E. Simon
132 Geary	309	6	Sacs
166 Geary	309	10	Whittell
285 Geary	314	12	St. Paul
293 Geary	314	11	Lincoln
301 Geary	315	1	Elkan Gunst
415 Geary	316	1A	Geary Theater
445 Geary	316	18A	Curran Theater
491 Geary	316	13	Clift Hotel
501 Geary	317	1	Bellvue Apt.
42 Golden Gate	343	2	Golden Gate Theater
200 Golden Gate	345	4	YMCA
1 Grant	313	8	Security Pacific Bank
17 Grant	313	7	Zobel
50 Grant	312	8	Ransohoff-Liebes
201 Grant	294	6	Shreve
220 Grant	293	8	Phoenix

233 Grant	294	5	
301 Grant	286	5	Myers
311 Grant	286	4	Abramson
333 Grant	286	2	Home Telephone
334 Grant	287	17	Beverly Plaza Hotel
101 Howard	3740	1	Folger Coffee
1049 Howard	3731	74	
125 Hyde	346	3B	Rulf's File Exchange
16 Jessie	3708	22	One Ecker
1 Jones	349	3	Hibernia Bank
25 Kearny	310	4	O'Bear
49 Kearny	310	2	Rouillier
153 Kearny	293	2	Bartlett Doe
161 Kearny	293	1	Eyre
200 Kearny	288	11	
201 Kearny	287	8	
251 Kearny	287	1	Charleston
333 Kearny	270	2	Macdonough
344 Kearny	269	9	Harrigan Weidenmuller
346 Kearny	269	27p	
362 Kearny	269	27p	
222 Leidesdorff	228	6	PG&E Station J
1 Market	3713	6	Southern Pacific
215 Market	3711	18	Matson
245 Market	3711	14A	Pacific Gas & Electric
540 Market	291	1	Flatiron
562 Market	291	5	Chancery
576 Market	291	5B	Finance
582 Market	291	6	Hobart
641 Market	3722	69	
660 Market	311	5	
673 Market	3707	51	Monadnock
691 Market	3707	57	Hearst
704 Market	312	10	Citizen's Savings
722 Market	312	9	Bankers Investment
744 Market	312	6	Wells Fargo
760 Market	328	1	Phelan
783 Market	3706	48	Humboldt
801 Market	3705	1	Pacific
835 Market	3705	43	Emporium
870 Market	329	5	Flood
901 Market	3704	1	Hale Brothers
938 Market	341	5	
948 Market	341	6	Mechanics Savings
982 Market	342	17	Warfield Theater
1000 Market	350	1	San Christina
1072 Market	350	4	Crocker Bank
1095 Market	3703	59	Grant
1100 Market	351	1	Hotel Shaw
1182 Market	351	22	Orpheum Theater
1301 Market	3508	1	Merchandise Mart
34 Mason	341	7	Rubyhill Vineyard
101 Mason	331	6	Hotel Mason
120 Mason	330	13	Kowalsky Apts.
602 Mason	284	12	
83 McAllister	351	32	Methodist Book Concern
100 McAllister	348	6	Hastings Dormitory

132 McAllister	348	7	Argyle Hotel
447 Minna	3725	76	
54 Mint	3704	34	McElnoy
66 Mint	3704	12	Remedial Loan
1 Mission	3715	1	Audiffred
647 Mission	3722	69	
700-706 Mission (86 Third)	3706	93	Mercantile or Aronson
1018 Mission	3703	81	Kean Hotel
130 Montgomery	289	6	French Bank
149 Montgomery	288	1	Alexander
220 Montgomery	268	6 - 8	Mills
235 Montgomery	269	1	Russ
300 Montgomery	260	10	Bank of America
315 Montgomery	259	21	California Commercial Union
400 Montgomery	239	9	Kohl
405 Montgomery	240	3	Financial Center
500 Montgomery	228	13	American-Asian Bank
520 Montgomery	228	15	Paoli's
552 Montgomery	228	28, 29	Bank of America
116 Natoma	3722	6	N. Clark
145 Natoma	3722	14	
147 Natoma	3722	13	Underwriter Fire
39 New Montgomery	3707	35	Sharon
74 New Montgomery	3707	33	Call
79 New Montgomery	3707	14	
116 New Montgomery	3722	71	Rialto
134 New Montgomery	3722	8	Pacific Telephone
201 Ninth	3729	82	
20 O'Farrell	313	10	Kohler-Chase
235 O'Farrell	3261	8	Hotel Barclay
301 Pine	268	1	Pacific Stock Exchange
333 Pine	268	16	Chamber of Commerce
348 Pine	260	8	Dividend
57 Post	311	13	Mechanic's Institute
117 Post	310	22	O'Connor Moffat
126 Post	293	5	Rochat Cordes
165 Post	310	20	Rothchild
175 Post	310	19	Liebes
180 Post	293	7	Hastings
201 Post	309	1	Head
225 Post	309	27	S. Christian
275 Post	309	22	Lathrop
278 Post	294	11	Joseph Fredericks
340 Post	295	5	Bullock & Jones
442 Post	296	8	Chamberlain
450 Post	296	9	Elk's Club
470 Post	296	10	Medico-Dental
491 Post	307	9	1st Congregational Church
524 Post	297	5	Olympic Club
600 Post	298	6	Alvarado Hotel
1 Powell	330	5	Bank of America
200 Powell	314	7	Omar Khayyam's
301 Powell	307	1	St. Francis Hotel
432 Powell	295	8	Sir Francis Drake
433 Powell	296	5	Chancellor Hotel
449 Powell	296	1	Foetz
540 Powell	285	9	Elk's Club Old

114 Sansome	267	10	Adam Grant
155 Sansome	268	1A	Stock Exchange Tower
200 Sansome	261	7	American International
201 Sansome	260	5	Royal Globe Insurance
221 Sansome	260	4	
231 Sansome	260	3	TC Kierloff
233 Sansome	260	2	Fireman's Fund
400 Sansome	229	3	Federal Reserve
401 Sansome	228	4	Sun
407 Sansome	228	3	
71 - 85 Second	3708	19	Pacific Bell Building
121 Second	3721	71	Rapp
132 Second	3722	3	
133 Second	3721	51	Morton L. Cook
141 Second	3721	50	
6 Seventh	3702	1	Odd Fellow's
106 Sixth	3726	2	
201 Sixth	3732	124	Hotel Argonne
111 Stevenson	3707	44	Palace Garage
46 Stockton	328	4	J. Magnin
101 Stockton	314	2	Macy's
234 Stockton	309	20	Schroth's
600 Stockton	257	12	Metropolitan Life Ins. Co.
108 Sutter	288	7	French Bank
111 Sutter	292	1	Hunter-Dulin
130 Sutter	288	27	Hallidie
216 Sutter	287	9	Rose
255 Sutter	293	9	White House
256 Sutter	287	11	Sather
266 Sutter	287	12	Bemiss
301 Sutter	294	1	Hammersmith
312 Sutter	286	7	Nutall
391 Sutter	294	15	Galen
445 Sutter	295	10p	Pacific Gas & Electric
447 Sutter	295	10p	Pacific Gas & Electric
450 Sutter	285	6	Medical-Dental
500 Sutter	284	4	Physician's
609 Sutter	297	1	Marines Memorial
620 Sutter	283	4A	
640 Sutter	283	22	Metropolitan
403 Taylor	317	3	Hotel California
624 Taylor	297	7	Bohemian Club
701 Taylor	282	4A	
2 Turk	340	4	Oxford Hotel
11 Van Ness	834	4	Masonic Temple

(Added Ord. 414-85, App. 9/17/85; amended by Ord. 142-87, App. 5/1/87; Ord. 47-96, App. 2/2/96; Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

APPENDIX B TO ARTICLE 11 CATEGORY II BUILDINGS

Note: The gross floor area of a number of these buildings exceeds the basic FAR allowed in Section 124 of this Code. Additions to these buildings would be allowed only to the extent permitted by Section 128(c)(2).

CATEGORY II BUILDINGS

<i>Address</i>	<i>Block</i>	<i>Lot</i>	<i>Name of Building (In Feet)</i>	<i>Portion of Lot On Which An Addition To Height Visible When Viewing The Principal Facades Is Not Permitted (In Feet From Property Line At Street In First Column)</i>	<i>Reference Point For Establishing Limitation On Height Addition</i>	
350 Bush	269	3	SF Mining Exchange	37.5	30	View of Russ Bldg. Courtyard
430 Bush	270	34		170	77.6	408 Grant
530 Bush	271	27p	SF Environmental Center	137.5	67.5	500 Bush
24 California	235	9	Marvin	137.5	77.5	13 Drumm
230 California	237	8	Hind	127.5	62	260 California
244 California	237	10	Welch	127.5	62	260 California Lot configuration
166 Embarcadero	3715	7	YMCA	137.5	50	Building configuration
450 Geary	306	7A	Sussex	137.5	60	468 Geary
458 Geary	306	7B		137.5	60	468 Geary
255 Golden Gate	348	17	KGO	97.5	57.5	261 Golden Gate
631 Howard	3735	5	William Volker Bldg.	165	82.5	613 - 617 Howard
835 Howard	3733	84	Dettners Printing	155	80	855 Howard
1035 Howard	3731	94	Eng Skell	280	115	Building configuration
1126 Howard	3727	14		185	90	1122 Howard
123 Kearny	293	3	Young	108	67	161 Kearny
633 Market	3707	52	Palace Hotel	344	All but SW Corner	Original Building
690 Market	0311	006	The Chronicle Building			
725 Market	3706	62	Bancroft	170	100	711, 721 Market
735 Market	3706	61	Carroll & Tilton	170	100	711, 721 Market
825 Market	3705	37	Commercial	350	145	801 Market
973 Market	3704	69	Wilson	170	90	991 Market
979 Market	3704	68	Hale Bros.	170	90	991 Market
1019 Market	3703	76	Eastern Outfitting	170	90	1023 Market
1059 Market	3703	65	Ede	170	90	1043 Market
1067 Market	3703	63	Lippert	170	90	1043 Market
1215 Market	3701	59	San Franciscan Hotel	275	170	Lot configuration
414 Mason	307	8	Native Sons	137.5	92	386 Geary
810 Mission	3507	7	S.F. Bulletin	160	90	826 Mission
816 Mission	3705	8		160	90	826 Mission
959 Mission	3725	87	Calif. Casket Co.	160	80	

						987 Mission, Lot configuration
1235 Mission	3728	89p	Magrue & Otter	160	80	1201 Mission
50 Oak	834	5	Young Mens Inst.	120	80	Lot configuration
332 Pine	260	6	Orient	137.5	65	308 Pine
150 Post	293	6	Jewelers Bldg.	137.5	80	200 Kearny, Lot configuration
246 Post	294	9	Gumps	122.5	70	272 Post
555 Post	306	20	Press Club	137.5	75	569 Post
17 Powell	330	4	Powell Hotel	175	75	45 Powell, 57 Powell
135 Powell	326	3	Walgreens	137.5	75	111 Powell
54 Sutter	288	10	Central Realty	120	60	200 Kearny
250 Sutter	287	10	Goldberg Bowen	120	60	256 Sutter, Lot configuration
532 Sutter	284	7	Christian Science Ch.	137.5	87.5	576 Sutter
562 Sutter	284	10	Hotel Regent	137.5	87.5	576 Sutter
625 Sutter	297	14	Academy of Art	137.5	87	Lot configuration

(Added by Ord. 414-85, App. 9/17/85; amended by Ord. 249-03, File No. 031100, App. 10/22/2003; Ord. 259-08, File No. 080954, Passed 11/4/2008)

APPENDIX C TO ARTICLE 11 CATEGORY III BUILDINGS

<i>CATEGORY III BUILDINGS</i>			
<i>Address of Building</i>	<i>Block</i>	<i>Lot(s)</i>	<i>Name of Building</i>
566 Bush	271	24	Notre Dame des Victoires Rectory
660 California	0241	011	
608 Commercial	277	48	Original U.S. Mint & Subtreasury
33 Drumm	235	5	
37 Drumm	235	19	
572 Folsom	3736	25	J.E. Bier
606 Folsom	3735	8	Planters Hotel
608 Folsom	3735	9	Louis Lurie Co.
51 Grant	313	3	Eleanor Green
342 Howard	3719	8	
527 Howard	3736	83	Martin
531 Howard	3736	112	Mercedes
577 Howard	3736	100	Taylor
589 Howard	3736	98	Lent
657 Howard	3735	41	San Francisco News
667 Howard	3735	39	
1097 Howard	3731	42	Blindcraft
1234 Howard	3728	14	Guilfooy Cornice
96 Jessie	3708	32	
703 Market	3706	1	Central Tower
1007 Market	3703	78	James G. Walker Building

1083 Market	3703	61	
1582 Market	836	10	Miramar Apts.
404 Mission	3709	8	C.C. Moore; Terminal Plaza
658 Mission	3707	20	
678 Mission	3703	21	Builders' Exchange Building
1087 Mission	3726	106	
149-155 Ninth	3728	048	Western Manufacturing Co. Building
615 Sacramento	240	14	Jack's Restaurant
343 Sansome	239	2	
240 Second	3735	55	Marine Fireman's and Oilers and Watertenders Union Hall
32 Sixth	3703	4	Seneca Hotel
79 Stevenson	3708	31	SF Municipal Railway Co. Substation
83 Stevenson	3708	34	Calif. Farmer
72 Tehama	3736	91	Brizard and Young
74 Tehama	3736	92	
78 Tehama	3736	93	
90 Tehama	3736	94	
1 United Nations Plaza	351	37	J.S. Godau
41 Van Ness	834	22p	

(Added by Ord. 414-95, App. 9/17/85; amended by Ord. 162-01, File No. 010668, App. 7/13/2001; Ord. 182-12, File No. 120665, App. 8/8/2012, Eff. 9/7/2012; Ord. 22-14, File No. 131178, App. 3/14/2014, Eff. 4/13/2014; Ord. 101-14, File No. 140382, App. 6/26/2014, Eff. 7/26/2014; Ord. 77-15, File No. 150148, App. 6/12/2015, Eff. 7/12/2015)

APPENDIX D TO ARTICLE 11 CATEGORY IV BUILDINGS

<i>CATEGORY IV BUILDINGS</i>			
<i>Address of Building</i>	<i>Block</i>	<i>Lot(s)</i>	<i>Name of Building</i>
28 Belden	269	14	
40 Belden	269	15	
52 Belden	269	18	
364 Bush	269	4	Sam's Grill
380 Bush	269	5	Shasta Hotel
415 Bush	287	23	
429 Bush	287	22	
447 Bush	287	20	Hansa Hotel
461 Bush	287	18	Mfg. Jeweler's
507 Bush	286	1	St. Charles Hotel
515 Bush	286	22	Terbush
553 Clay	228	32	
559 Clay	228	31	
61 Ellis	329	6	John's Grill
111 Ellis	330	1	Powell
120 Ellis	326	5	Misses Butler
222 Front	236	6	
235 Front	237	4	
236 Front	236	8	Shroeder
239 Front	237	2	
246 Front	236	9	

250 Front	236	10	
66 Geary	310	12	Hotel Graystone
88 Geary	310	13 - 15	Cailleau
100 Geary	309	3	Granat Brothers
101 Geary	313	1	Paragon
129 Geary	313	16	
146 Geary	309	7	
152 Geary	309	8	
156 Geary	309	9	
251 Geary	314	14	Werner
347 Geary	315	22	Hotel Stewart
366 Geary	307	6	Rosebud's English Pub
381 Geary	315	20A	
418 Geary	306	6	Paisley Hotel
436 Geary	306	7	Somerton Hotel
459 Geary	316	18	
468 Geary	306	8	
476 Geary	306	9	Hotel David
484 Geary	306	11	
490 Geary	306	12	Hotel Maryland
39 Grant	313	5	Fisher
59 Grant	313	2	
100 Grant	310	13	Livingston Brothers
166 Grant	310	17	
251 Grant	294	3	
255 Grant	294	2	
321 Grant	286	3	Hotel Baldwin
606 Howard	3722	20	Merritt
651 Howard	3735	42	Smith-Emery Co.
667 Howard	3735	39	
163 Jessie	3707	32	California Demokrat; Hess
45 Kearny	310	3	Oscar Luning
209 Kearny	287	7	
215 Kearny	287	6	
219 Kearny	287	5	
227 Kearny	287	4	
240 Kearny	288	14	Marston
246 Kearny	288	25	Hotel Stanford
260 Kearny	288	16	
315 Kearny	270	5	
325 Kearny	270	3	
334 Kearny	269	7	
353 Kearny	270	1	Kearny-Pine Building
358 Kearny	269	11	
215 Leidesdorff	228	10	
118 Maiden Lane	309	16	Lloyd
177 Maiden Lane	309	12	
601 Market	3707	1	Santa Fe
609 Market	3707	2A	
623 Market	3707	59	Metropolis Trust
300 Mason	315	16	Hotel Virginia
334 Mason	315	17	King George Hotel
425 Mason	306	2	S. F. Water Dept.
542 Mason	296	12A	St. Francis Apts.
602 Mission	3707	13	Atlas
609 Mission	3722	1	Stevenson
611 Mission	3722	76	Koret

617 Mission	3722	73	Koracorp
641 Mission	3722	70	
657 Mission	3722	68	McLaughlin
663 Mission	3722	67	Grant
666 Mission	3707	21	California Historical Society; Hundley Hardware
540 Montgomery	228	24	Bank of America
161 Natoma	3722	11	Emerson Flag Company
111 New Montgomery	3722	72	Standard
137 New Montgomery	3722	7	
170 New Montgomery	3722	22	Furniture Exchange
180 O'Farrell	314	6	St. Moritz Hotel
238 O'Farrell	315	10	Spaulding Hotel
272 O'Farrell	315	14	
280 O'Farrell	315	15	
340 Pine	260	7	Selsbach and Deans
358 Pine	260	9	Phoenix
369 Pine	268	12	Exchange Block
485 Pine	269	20	
216 Post	294	7	Guggenheim
228 Post	294	8	Gumps - E. Arden
233 Post	309	17	Graff
251 Post	309	24	Mercedes
272 Post	294	10	
438 Post	296	7	St. Andrew
545 Post	306	22	Hotel Cecil
620 Post	298	7	J. J. Moore Apts.
624 Post	298	8	
45 Powell	330	2	
100 Powell	327	12	Hotel Golden State
111 Powell	326	4	
120 Powell	327	13	
134 Powell	327	22	Elevated Shops
151 Powell	326	2	Hotel Herbert
201 Powell	315	3, 6 - 9	Manx Hotel
207 Powell	315	4	Howard
226 Powell	314	9	
235 Powell	315	2	
236 Powell	314	10	Hotel Stratford
421 Powell	296	6	United Airlines
435 Powell	296	14p	
439 Powell	296	14p	
445 Powell	296	2	
333 Sacramento	237	18	
558 Sacramento	228	9	
560 Sacramento	228	10	
568 Sacramento	228	11	PG&E Station J
576 Sacramento	228	12	Potter
415 Sansome	228	2	Fugazi Bank
20 Second	3707	2	Schwabacher
36 Second	3707	4	Morgan
42 Second	3707	5	
48 Second	3707	6	Kentfield & Esser
52 Second	3707	7	
60 Second	3707	8	
70 Second	3707	9	
76 Second	3707	10	

90 Second	3707	12	
120 Second	3722	2	
144 Second	3722	4	
149 Second	3721	49	
156 Second	3722	5	Jackson
163 Second	3721	48	Marcus Modry
165 Second	3721	5	Electrical
168 Second	3722	16	
182 Second	3722	19	Barker, Knickerbocker & Bostwick
216 Stockton	309	13	
222 Stockton	309	14	A. M. Robertson
334 Stockton	294	13p	Drake-Wiltshire Hotel Annex
340 Stockton	294	13p	Drake-Wiltshire Hotel
417 Stockton	285	4	All Seasons Hotel
427 Stockton	285	3	
171 Sutter	292	9	
307 Sutter	294	23	Orpheus
310 Sutter	286	6	
315 Sutter	294	22	Newbegin
323 Sutter	294	21	Hotel Alamo
345 Sutter	294	19	
371 Sutter	294	16	Nathalie Nicoli
400 Sutter	285	5p	McCloud
524 Sutter	284	6	Cartwright
535 Sutter	296	13C	Westphal
540 Sutter	284	8	John Simmons
547 Sutter	296	13B	Lowell
559 Sutter	296	13A	
575 Sutter	296	13	
595 Sutter	296	12B	Francisca Club
635 Sutter	297	13	Hotel Beresford
655 Sutter	297	12	
679 Sutter	297	10	
680 Sutter	283	7	
690 Sutter	283	8	
693 Sutter	297	9	
701 Sutter	298	1	
717 Sutter	298	34	Hotel DeLuxe
420 Taylor	316	10	NBC/KBHK
615 Taylor	298	5	Taylor Hotel
621 Taylor	298	4	Winterburn Hotel
625 Taylor	298	3	Eisenberg Apts.
627 Taylor	298	2	Hawthorne Apts.
125 Third (693 Mission)	3722	257	Williams

(Added Ord. 414-85, App. 9/17/85; amended by Ord. 61-02, File No. 020334, App. 5/3/2002; Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

APPENDIX E TO ARTICLE 11 KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT

SEC. 1. FINDINGS AND PURPOSES.

It is hereby found that the area known and described in this Appendix as the Kearny-Market-Mason-Sutter Street area is a Subarea within the C-3 District that possesses concentrations of buildings that together create a subarea of architectural and environmental quality and importance which contributes to the beauty and attractiveness of the City. It is further

found that the area meets the standards for designation of a Conservation District as set forth in Section 1103 of Article 11 and that the designation of said area as a Conservation District will be in furtherance of and in conformance with the purposes of Article 11 of the City Planning Code.

This designation is intended to promote the health, safety, prosperity and welfare of the people of the City through the effectuation of the purposes set forth in Section 1101 of Article 11 and the maintenance of the scale and character of the Kearny-Market-Mason-Sutter area by:

- (a) The protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the Conservation District;
- (b) Providing scope for the continuing vitality of the District through private renewal and architectural creativity, within appropriate controls and standards. It is intended to foster a climate in which the Kearny-Market-Mason-Sutter District may continue as the prime Bay Area retail district and a center for tourists from around the country and the world;
- (c) The maintenance of an identity separate from the financial district by maintaining the relatively small scale and sunlit sidewalks and open spaces.

(Added Ord. 414-85, App. 9/17/85)

SEC. 2. DESIGNATION.

Pursuant to Section 1103.1 of Article 11, of the City Planning Code (Part II, Chapter II of the San Francisco Municipal Code), the Kearny-Market-Mason-Sutter area is hereby designated as a Conservation District.

(Added Ord. 414-85, App. 9/17/85)

SEC. 3. LOCATION AND BOUNDARIES.

The location and boundaries of the Kearny-Market-Mason-Sutter Conservation District shall be as designated on the Kearny-Market-Mason-Sutter Conservation District Map, the original of which is on file with the Clerk of the Board of Supervisors under File No. 223-84-4, which Map is hereby incorporated herein as though fully set forth and a facsimile of which is reproduced herein below.

(Added Ord. 414-85, App. 9/17/85)

SEC. 4. RELATION TO CITY PLANNING CODE.

(a) Article 11 of the City Planning Code is the basic law governing preservation of buildings and districts of architectural importance in the C-3 District of the City and County of San Francisco. This Appendix is subject to and in addition to the provisions thereof.

(b) Except as may be specifically provided to the contrary in this Code, nothing in this Appendix shall supersede, impair or modify any City Planning Code provisions applicable to property in the Kearny-Market-Mason-Sutter Conservation District, including, but not limited to, regulations controlling uses, height, bulk, coverage, floor area ratio, required open space, off-street parking, and signs.

(Added Ord. 414-85, App. 9/17/85)

SEC. 5. JUSTIFICATION.

The characteristics of the Conservation District justifying its designation are as follows:

(a) **History of the District.** Since the Kearny-Market-Mason-Sutter District covers a large area, individual streets within the district have had unique histories which have often changed dramatically over time. Maiden Lane (originally called Morton Street) was once the site of numerous houses of prostitution. Yet, after the fire and the opening of nearby department stores the renamed Union Square Avenue became the service entrance for those stores. In time, restaurants and retail stores opened, paving the way for the emergence of Maiden Lane as an exclusive retail address. Similarly, before the earthquake Powell Street, home to many theaters and restaurants, was known as the "uptown tenderloin." In the 1920's, the opening of numerous hotels and retail stores led to a gradual change of character on the street.

These changing land-use patterns were in part determined by the movement of high-quality retail stores. Throughout the years, the closing or movement of larger department stores has often provided new space for smaller stores, and has strongly influenced their locations. The best known stores of the retail district were located on Kearny Street in the 1870's

and 1880's. The growth of the City, due in part to the introduction of cable car service, led to the movement of the retail district towards both Market Street and the Grant Avenue/Union Square area. Beginning in the 1880's, department stores such as the Emporium and Hale Brothers opened large stores on Market Street. However, the large width of Market Street and its distance from high income residential neighborhoods on Nob Hill hindered its further development as a high class retail district. By the 1920's, Market Street had become San Francisco's family shopping street.

The prominence of the Grant Avenue/Union Square retail area as an exclusive shopping district was assured when I. Magnin (originally on Third Street) moved from Market Street to the corner of Grant Avenue and Geary Street. The location of the City of Paris at the corner of Geary and Stockton Streets across from Union Square firmly established Union Square as the most desirable location in the retail district. I. Magnin eventually moved to a building across from Union Square and O'Connor Moffat (now Macys) located at the corner of Geary and Stockton Streets. A side effect of the development of Union Square as a retail district was the displacement of many medical and dental offices by beauty parlors and restaurants catering to the new retail trade. Since the 1920's, Lower Grant Avenue and the Union Square area have been the City's premier shopping district.

Concurrent with the development of Grant Avenue/Union Square as a retail district were the relocations of the hotel and theater districts. By the 1890's, the theater district relocated from Bush Street (between Grant and Kearny) to the area west of Union Square. Whereas hotels were once clustered at the intersection of Montgomery and Market Streets, after the 1906 Fire most hotels also moved to the area west of Union Square. The establishment of the St. Francis Hotel on the west side of the square was a major impetus to the hotel relocation. Before the fire, this area had been the site of many household goods establishments.

(b) **Basic Nature of the District.** The pattern of development is one of small-scaled, light-colored buildings predominantly four to eight stories in height. The height and scale provide for a streetscape which is attractive to the pedestrian because of the comfortable scale and sunlit sidewalks. This dense area is the heart of San Francisco's retail and tourist sectors, containing a concentration of fine shops, department stores, theaters, hotels, and restaurants. As such, it is one of the main attractions to tourists from around the country and world, as well as the prime retail district in the Bay Area. The District is further defined by the location of Union Square in its heart. This square is, in many ways, the premier public open space in the City, as well as a primary public forum.

(c) **Architectural Character.** The character of the area is determined by the many fine quality structures, among the best in the City, and supported by a number of contributory buildings. Since the entire area was built in less than 20 years, and the major portion in less than 10 years, buildings were constructed in similar styles and structural technology. Perhaps even more importantly, architects were of like backgrounds, schooled in the classical Beaux Arts tradition.

In addition to their individual architectural features, the scale and design of buildings in the district related very well with neighboring buildings, streets and open spaces. This effect was achieved in large part by the alignment of cornice and belt course lines. The buildings used compatible detailing, colors, materials, massing, and scale. Ornament was derived from Classical, Renaissance, Gothic and Romanesque sources. In a limited number of examples, ornament was developed from early Spanish Colonial models.

(d) **Uniqueness and Location.** The District's character, although it has many buildings of recent vintage, is largely intact. It is one of the few homogeneous collections of early Twentieth Century commercial architecture of its type in the United States. Of a total of 324 buildings in this District, 114 are architecturally significant and 140 are contributory. Only 98 buildings are not rated. Union Square, an integral part of the District, is a unique resource and ranks with the finest open spaces in the country. The area is centrally located and easily accessible to the Financial District, Nob Hill, the Tenderloin, and the South of Market, as well as outlying districts of the City. The Powell Street Cable Car lines is a unique feature which relates the area to the entire northeastern quadrant of the City and attracts tourists to the area.

(e) **Visual and Functional Unity.** The character of the area is determined by a series of buildings whose compositions and use of materials and ornament are complementary, as well as by the regular street pattern which creates interesting views and vistas down the streets. Within the District, several subareas increase the variety and complexity of the District while retaining its essential architectural character.

(f) **Dynamic Continuity.** The District is the center of San Francisco's retail market and is constantly responding to new trends and needs. The area has seen the recent opening of two major department stores and, in addition, many new small stores. Indeed, much of the pedestrian interest so important to the District is a result of the ever-changing shop windows and stores.

(g) **Benefits to the City and its Residents.** The District provides a wide range of benefits to both the City and its residents. Much of the retailing area's vitality is attributable to its physical character. The mix of shops and unique buildings is not duplicated in suburban shopping malls, and, because of this, the area attracts shoppers from around the Bay Area. The District is a prime destination for tourists and is therefore an important part of San Francisco's image. The

prevailing architectural character is an important legacy from the Beaux Arts tradition and contains many fine examples of commercial architecture.

(Added Ord. 414-85, App. 9/17/85)

SEC. 6. FEATURES.

The exterior architectural features of the Kearny-Market-Mason-Sutter Conservation District are as follows:

(a) **Massing and Composition.** The compositions of the building facades reflect the different architectural functions of the building. For the most part, building facades in the district are two- or three-part vertical compositions consisting either of a base and a shaft, or a base, a shaft and a capital. In more elaborate designs, transitional stories create a stacked composition, but the design effect is similar.

In addition, the facade of a building is often divided into bays expressing the structure (commonly steel and reinforced concrete) beneath the facade. This was accomplished through fenestration, structural articulation or other detailing which serves to break the facade into discrete segments. A common compositional device in the District is an emphasis placed upon either the end bays or the central bay.

The massing of the structures is usually a simple vertically oriented rectangle with a ratio of width to height generally from 1:2 to 1:4. This vertically oriented massing is an important characteristic of the District. In addition, continuous streetwall heights are a characteristic of most blockfronts.

Almost without exception, the buildings in the Kearny-Market-Mason-Sutter Conservation District are built to the front property line and occupy the entire site. Where buildings have not followed this rule, they do not adequately enclose the street. The massing of structures often reflects unique or prominent site characteristics. Corner buildings often have rounded corner bays to express the special requirements of the site and to tie its two blockfronts together.

(b) **Scale.** The buildings are of small to medium scale. The bay width is generally from 20 feet to 30 feet. Heights generally range from four to eight stories on lots 40 feet to 80 feet wide, although a number of taller buildings exist. The wider frontages are often broken up by articulation of the facade, making the buildings appear narrower. The base is generally delineated from the rest of the building giving the District an intimate scale at the street.

(c) **Materials and Colors.** Buildings are usually clad in masonry materials over a supporting structure. The cladding materials include terra cotta, brick, stone and stucco. Wood, metal and metal panels are not facade materials, although painted wood and metal are sometimes used for window sash and ornament.

The materials are generally colored light or medium earth tones, including white, cream, buff, yellow, and brown. Individual buildings generally use a few different tones of one color.

To express the mass and weight of the structure, masonry materials are used on multidimensional wall surfaces with texture and depth, which simulates the qualities necessary to support the weight of a load-bearing wall.

(d) **Detailing and Ornamentation.** This area has been the heart of the retail district since it was reconstructed after the fire. Buildings use the expression of texture and depth on masonry material (e.g., rustication, deep window reveals) to simulate the appearance of load-bearing walls. The buildings are not constructed in a single style, but with ornament drawn from a variety of historical sources, primarily Classical and Renaissance. Gothic detailing is also well represented. Popular details include, arches, columns, pilasters, projecting bracketed cornices, multiple belt-courses, elaborate lintels and pediments, and decorated spandrels. Details were used to relate buildings to their neighbors by repeating and varying the ornament used in the surrounding structures.

(Added Ord. 414-85, App. 9/17/85)

SEC. 7. STANDARDS AND GUIDELINES FOR REVIEW OF NEW CONSTRUCTION AND CERTAIN ALTERATIONS.

(a) All construction of new buildings and all major alterations, which are subject to the provisions of Sections 1110, 1111 through 1111.6 and 1113, shall be compatible with the District in general with respect to the building's composition and massing, scale, materials and colors, and detailing and ornamentation, including those features described in Section 6 of this Appendix. Emphasis shall be placed on compatibility with those buildings in the area in which the new or altered building is located. In the case of major alterations, only those building characteristics that are affected by the proposed alteration shall be considered in assessing compatibility. Signs on buildings in conservation districts are subject to the provisions of Section 1111.7.

The foregoing standards do not require, or even encourage, new buildings to imitate the styles of the past. Rather, they require the new to be compatible with the old. The determination of compatibility shall be made in accordance with the provisions of Section 309.

(b) The guidelines in this Subsection are to be used in assessing compatibility.

(1) **Composition and Massing.** Although the District is quite large and contains a wide variety of building forms, new construction should maintain its essential character by relating to the prevailing height, mass, proportions, rhythm and composition of existing Significant and Contributory Buildings. The height and massing of new buildings should not alter the traditional scale of existing buildings, streets and open spaces. In addition to the consideration of sunlight access for the street, an appropriate streetwall height is established by reference to the prevailing height of the buildings on the block and especially that of adjacent buildings. If the adjacent buildings are of a significantly different height than the rest of the buildings on the block, then the prevailing height of buildings on the block should be used as a guide. A setback at the streetwall height can permit additional height above the setback without breaking the continuity of the street wall.

Most existing buildings are built to the property or street line. This pattern, except in the case of carefully selected open spaces, should not be broken since it could damage the continuity of building rhythms and the definitions of streets.

The standard proportions of new buildings should be established by the prevailing streetwall height and width of lots. To ensure that an established set of proportions is maintained, it is necessary to break up the facades of new buildings into smaller sections that relate to those existing proportions. The use of smaller bays and multiple entrances are two ways of relating the rhythm of a new building with those of historic buildings.

The design of a new structure should repeat the prevailing pattern of two- and three-part vertical compositions. A base element is necessary to define the pedestrian environment. This division of a building allows flexibility in the design of the ground story while encouraging a uniform treatment of the upper stories.

(2) **Scale.** A major influence on scale is the degree to which the total facade plane is broken into smaller parts (by detailing, fenestration, bay widths) which relate to human scale. While department stores and hotels are of a medium scale, the traditional pattern for the District has consisted of small scale buildings. The existing scale of the buildings in the vicinity should be maintained. This can be accomplished in a variety of ways, including: a consistent use of size and complexity of detailing in regards to surrounding buildings, continuance of existing bay widths, maintenance of an existing streetwall height, and incorporation of a base element (of similar height) to maintain the pedestrian environment. Large wall surfaces, which increase a building's scale, should be broken up through the use of detailing and textural variation.

Existing fenestration (windows, entrances) rhythms and proportions which have been established by lot width or bay width should be repeated in new structures. The spacing and size of window openings should follow the sequence set by Significant and Contributory structures. Large glass areas should be broken up by mullions so that the scale of glazed areas is compatible with that of neighboring buildings. Casement and double-hung windows should be used where possible.

(3) **Materials and Colors.** The use of like materials can relate two buildings of obviously different eras and styles. Similarly, the use of materials that appear similar (such as substituting concrete for stone) can link two disparate structures, or harmonize the appearance of a new structure with the architectural character of a conservation district. The preferred surface materials for this district are brick, stone, and concrete (simulated to look like terra cotta or stone).

The texture of surfaces can be treated in a manner so as to emphasize the bearing function of the material, as is done in rustication on historic buildings.

Traditional light colors should be used in order to blend in with the character of the district. Dissimilar buildings may be made more compatible by using similar or harmonious colors, and to a lesser extent, by using similar textures.

(4) **Detailing and Ornamentation.** A new building should relate to the surrounding area by picking up elements from surrounding buildings and repeating them or developing them for new purposes. Since the District has one of the largest collections of finely ornamented buildings in the City, these buildings should serve as references for new buildings. Detailing of a similar shape and placement can be used without directly copying historical ornament. The new structure should incorporate prevailing cornice lines or belt courses and may also use a modern vernacular instead of that of the original model.

(Added Ord. 414-85, App. 9/17/85)

SEC. 8. TDR: ELIGIBILITY OF CATEGORY V BUILDINGS.

Category V Buildings in that portion of the Kearny-Market-Mason-Sutter Conservation District which is in the C-3-0 Use District as shown on Sectional Map 1 of the Zoning Map are eligible for the transfer of TDR as provided in Section 1109(c).

(Added Ord. 414-85, App. 9/17/85)



**APPENDIX F TO ARTICLE 11
NEW MONTGOMERY-MISSION-SECOND STREET CONSERVATION
DISTRICT**

SEC. 1. FINDINGS AND PURPOSES.

It is hereby found that the area known and described in this appendix as the New Montgomery-Mission-Second Street area is a subarea within the C-3 District, that possesses concentrations of buildings that together create a subarea of architectural and environmental quality and importance which contributes to the beauty and attractiveness of the City. It is further found that the area meets the standards for designation of a Conservation District as set forth in Section 1103 of Article 11 and that the designation of said area as a Conservation District will be in furtherance of and in conformance with the purposes of Article 11 of the City Planning Code.

This designation is intended to promote the health, safety, prosperity and welfare of the people of the City through the effectuation of the purposes set forth in Section 1101 of Article 11 and the maintenance of the scale and character of the New Montgomery-Mission-Second Street area by:

- (a) The protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the Conservation District;
- (b) Providing scope for the continuing vitality of the District through private renewal and architectural creativity within appropriate controls and standards;
- (c) Preservation of the scale and character of the District separate from the prevailing larger scale of the financial district and permitted scale in the new Special Development District.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 2. DESIGNATION.

Pursuant to Section 1103.1 of Article 11 of the City Planning Code (Part II, Chapter XI of the San Francisco Municipal Code), the New Montgomery-Mission-Second Street area is hereby designated as a Conservation District.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 3. LOCATION AND BOUNDARIES.

The location and boundaries of the New Montgomery-Mission-Second Street Conservation District shall be as designated on the New Montgomery-Second Street Conservation District Map, the original of which is on file with the Clerk of the Board of Supervisors under File 223-84-4, which Map is hereby incorporated herein as though fully set forth, and a facsimile of which is reproduced hereinbelow.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 4. RELATION TO CITY PLANNING CODE.

(a) Article 11 of the City Planning Code is the basic law governing preservation of buildings and districts of architectural importance in the C-3 District of the City and County of San Francisco. This Appendix is subject to and in addition to the provisions thereof.

(b) Except as may be specifically provided to the contrary, nothing in this Appendix shall supersede, impair or modify any City Planning Code provisions applicable to property in the New Montgomery-Mission-Second Street Conservation District including, but not limited to, regulations controlling uses, height, bulk, coverage, floor area ratio, required open space, off-street parking and signs.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 5. JUSTIFICATION.

The characteristics of the Conservation District justifying its designation are as follows:

(a) **History of the District.** The core of the New Montgomery-Mission-Second Street Conservation District is a product of the post-1906 reconstruction of downtown San Francisco. Rebuilt between 1906 and 1933 this district represents a collection of masonry commercial loft buildings that exhibit a high level of historic architectural integrity and create a cohesive district of two-to-eight story masonry buildings of similar scale, massing, setback, materials, fenestration pattern, style, and architectural detailing.

This corridor forms one of the earliest attempts to extend the uses of the financial and retail districts to the South of Market area. Since Montgomery Street was the most important commercial street in the 1870's, New Montgomery Street was planned as a southern extension from Market Street to the Bay. Opposition from landowners south of Howard Street, however, prevented the street from reaching its original bayside destination. William Ralston, who was instrumental in the development of the new street, built the Grand Hotel and later the Palace Hotel at its Market Street intersection. A wall of large hotels on Market Street actually hindered the growth of New Montgomery Street and few retail stores and offices ventured south of Market Street. The unusually wide width of Market Street acted as a barrier between areas to the north and south for many years.

A small number of office buildings were built on New Montgomery Street as far south as Atom Alley (now Natoma Street) after the fire. Many buildings were completed in 1907, and most of the street assumed its present character by

1914. At 74 New Montgomery Street, the Call newspaper established its first headquarters. A noteworthy addition to the streetscape was the Pacific Telephone and Telegraph Building. At the time of its completion in 1925, it was the largest building on the West Coast devoted to the exclusive use of one firm. Until the 1960's, the office district on New Montgomery Street was the furthest extension of the financial district into the South of Market area. More characteristic were warehouses and businesses which supported the nearby office district. For example, the Furniture Exchange at the northwest corner of New Montgomery and Howard Streets, completed in 1920, was oriented to other wholesale and showroom uses along Howard Street.

One block to the east, Second Street had a different history from New Montgomery Street. The future of Second Street as an extension of the downtown depended upon the southward extension of the street through the hill south of Howard Street. At one time there was even a proposal to extend Second Street north in order to connect with Montgomery Street. The decision to extend Montgomery Street south rather than Second Street north due to the high cost of the Second Street Cut, however, discouraged retail and office growth on the street. As a result, by the 1880's Second Street was established as a wholesaling rather than retail or office area. In the 1920's, Second Street contained a wide mixture of office support services. These included printers, binderies, a saddlery, a wholesale pharmaceutical outlet, and a variety of other retail stores and smaller offices. Industrial uses were commonly located on the alleyways such as Minna and Natoma and on Second Street, south of Howard Street.

Howard Street between 1st and 3rd Street became a popular and convenient extension for retail and wholesale dealers after 1906. As with Mission Street, the area still contains a number of smaller commercial loft structures that represent some of the best examples within the district, such as the Volker Building at 625 Howard Street, the Crellin Building at 583 Howard Street, and the Sharon Estate Building at 667 Howard Street.

The transformation of much of the area within the boundaries of the New Montgomery-Mission-Second Street Conservation District into a southerly extension of downtown was reflected in the large number of multi-story structures built along both Mission and Market streets. The intersection of 3rd and Mission evolved into the most important intersections in the survey area, bracketed on three corners by important early skyscrapers, including the rebuilt Aronson Building on the northwest corner, the Williams Buildings on the southeast corner, and the Gunst Building (demolished) on the southwest corner.

(b) **Basic Nature of the District.** New Montgomery Street is characterized by large buildings that often occupy an entire section of a block defined by streets and alleys or a major portion of these subblocks. The buildings are of a variety of heights, but the heights of most of the buildings range from five to eight stories. Second Street is characterized by smaller, less architecturally significant buildings, but, because of their continuous streetwall, they form a more coherent streetscape. Without some sort of protection for the less significant buildings, the quality of the district would be lost due to pressure from the expanding office core.

(c) **Architectural Character.** Most of the contributing buildings are designed in the American Commercial Style and feature facades divided into a tripartite arrangement consisting of a base, shaft, and capital. Although the scale and size of the structures on New Montgomery Street are somewhat monumental, the area remains attractive for pedestrians. There are a number of outstanding buildings concentrated on New Montgomery, such as the Palace Hotel, the Pacific Telephone and Telegraph Building tower, and the Sharon Building. Ornamentation of district contributors is most often Renaissance-Baroque with later examples of Spanish, Colonial, Gothic Revival Styles, and Art Deco. Examples of the styles range from the Gothic skyscraper massing and Art Deco detailing of the Pacific Telephone and Telegraph Building to the Renaissance Palazzo style of the Palace Hotel. The primary building materials are earthen bricks, stone or terra cotta, with ornamental details executed in a variety of materials including terra cotta, metal, stucco and stone.

With the exceptions of corner buildings, Second Street, Mission and Howard Streets have a smaller, more intimate scale. While on New Montgomery Street, buildings typically occupy an entire subblock, on Second Street, three or four small buildings will occupy the same area. The buildings are generally mixed-use office and retail structures, two-to-seven stories in height, with Renaissance-influenced ornament.

The two streets are unified by several elements, including an architectural vocabulary which draws from similar historical sources, similar materials, scale, fenestration, color, stylistic origins, texture, and ornament.

(d) **Uniqueness and Location.** The District is located close to the central core of the financial district and is adjacent to an area projected for the future expansion. It is one of the few architecturally significant areas remaining largely intact in the South of Market area.

(e) **Visual and Functional Unity.** The District has a varied character ranging from the small and intimate on the alley streets to a more monumental scale on New Montgomery. In spite of this wide range, the district forms a coherent entity due to the buildings' common architectural vocabulary and the rhythm of building masses created by the District's intersecting alleys.

(f) **Dynamic Continuity.** The District is an active part of the downtown area, and after some years of neglect is undergoing reinvestment, which is visible in the rehabilitation of the Pacific Telephone Building, and the repair and rehabilitation of other buildings in the District.

(g) **Benefits to the City and Its Residents.** The District is a microcosm of twentieth century commercial architecture, ranging from low-level speculative office blocks to the City's premier hotels and executive offices of the time. The District now houses a variety of uses from inexpensive restaurants and support commercial uses, such as printers, to executive offices. The area retains a comfortable human scale, which will become increasingly important as neighboring areas of the South of Market become more densely developed.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 6. FEATURES.

The exterior architectural features of the New Montgomery-Mission-Second Street District are as follows:

(a) **Massing and Composition.** Almost without exception, the buildings in the New Montgomery-Mission-Second Conservation District are built to the front property line and occupy the entire site. Most buildings are either square or rectangular in plan, some with interior light courts to allow sunlight and air into the interiors of buildings. Nearly all cover their entire parcels, and their primary facades face the street. Building massings along New Montgomery and Second Streets have different directional orientations. For the most part, the large buildings on New Montgomery Street are horizontally oriented, since they are built on relatively large lots, often occupying an entire blockface. Their horizontal width often exceeds their height. The buildings on Second Street are built on much smaller lots, and hence have a vertical orientation. An exception on New Montgomery is the tower of the Pacific Telephone and Telegraph Building, whose soaring verticality is unique for that street.

To express the mass and weight of the structure, masonry materials are used on multi-dimensional wall surfaces with texture and depth, which simulates the qualities necessary to support the weight of a load-bearing wall.

Despite their differing orientation, almost all buildings share a two or three-part compositional arrangement. In addition, buildings are often divided into bays which establish a steady rhythm along the streets of the District. The rhythm is the result of fenestration, structural articulation or other detailing which breaks the facade into discrete segments. A common compositional device in the District is the emphasis placed upon either the end bays or the central bay.

(b) **Scale.** More than two-thirds of the contributing buildings are three-to-eight story brick or concrete commercial loft buildings constructed during the five years after the 1906 Earthquake and Fire. The scale of the District varies from the small buildings on Howard, Mission, Natoma, and Second Streets, such as the Phoenix Desk Company Building at 666 Mission Street, the Burdette Building at 90 Second Street, and the Emerson Flag Company Building at 161 Natoma Street; to medium-scaled structures on Mission and New Montgomery Streets, such as the Veronica Building at 647 Mission Street, and the Standard Building at 111 New Montgomery Street; to large-scale buildings on New Montgomery Street, such as the Pacific Telephone and Telegraph Building at 140 New Montgomery. On New Montgomery Street, the large facades are not commonly divided into smaller bays, establishing a medium scale when combined with the five- to eight-story height of the buildings. Similarly, the use of elaborate ornament on many of the buildings breaks their large facades into smaller sections and accordingly reduces their scale. Second Street is characterized by much smaller buildings with more frequent use of vertical piers whose scale is very intimate for the South of Market area.

(c) **Materials and Color.** Various forms of masonry are the predominant building materials in the district. A number of buildings on the northern end of New Montgomery use brown or buff brick. Terra cotta is also used as a facing material, and is frequently glazed to resemble granite or other stones. On Second and Mission Streets, several buildings are faced in stucco. To express the mass and weight of the structure, masonry materials are often rusticated at the ground and second story to increase the textural variation and sense of depth. Several buildings along Howard Street are noteworthy because they are clad in brick in warm earth tones, exhibit fine masonry craftsmanship, and remain unpainted.

The materials are generally colored light or medium earth tones, including white, cream, buff, yellow, and brown. Individual buildings generally use a few different tones of one color.

(d) **Detailing and Ornamentations.** Buildings range from industrial brick and stucco office/warehouses to ornately decorated office buildings. The details on the latter buildings are generally of Classical/Renaissance derivation and include projecting cornices and belt courses, rustication, columns and colonnades, and arches. Industrial commercial buildings are noted by their utilitarian nature, with limited areas or ornament applied at the cornice entablature and around windows.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 7. STANDARDS AND GUIDELINES FOR REVIEW OF NEW CONSTRUCTION AND CERTAIN ALTERATIONS.

(a) **Standards.** All construction of new buildings and all major alterations, which are subject to the provisions of Sections 1110, 1111 through 1111.6 and 1113, shall be compatible with the District in general with respect to the building's composition and massing, scale, materials and colors, and detailing and ornamentation, including those features described in Section 6 of this Appendix. Emphasis shall be placed on compatibility with those buildings in the area in which the new or altered building is located. In the case of major alterations, only those building characteristics that are affected by the proposed alteration shall be considered in assessing compatibility. Signs on buildings in conservation districts are subject to the provisions of Section 1111.7.

The foregoing standards do not require, or even encourage, new buildings to imitate the styles of the past. Rather, they require the new to be compatible with the old. The determination of compatibility shall be made in accordance with the provisions of Section 309.

(b) **Guidelines.** The guidelines in this subsection shall be used in assessing compatibility.

(1) **Composition and Massing.** New construction should maintain the character of surrounding buildings by relating to their prevailing height, mass, proportions, rhythm and composition.

In addition to the consideration of sunlight access for the street, an appropriate streetwall height is established by reference to the prevailing height of the buildings on the block and especially that of adjacent buildings. The prevailing height of buildings on New Montgomery Street is between five and eight stories while buildings on Second Street commonly range from three to six stories. A setback at the streetwall height can permit additional height above the setback up to the height limit without breaking the continuity of the street wall.

Almost all existing buildings are built to the property or street line. This pattern, except in the case of carefully selected open spaces, should not be broken since it could damage the continuity of building rhythms and the definition of streets.

Proportions for new buildings should be established by the prevailing streetwall height and the width of existing buildings. On New Montgomery Street, the historic pattern of large lot development permits new buildings to have a horizontal orientation. In order to ensure that an established set of proportions is maintained on Second Street, new construction should break up facades into discrete elements that relate to prevailing building masses. The use of smaller bays and multiple building entrances are ways in which to relate the proportions of a new building with those of existing buildings.

The design of a new structure should repeat the prevailing pattern of two- and three-part vertical compositions. One-part buildings without bases do not adequately define the pedestrian streetscape and do not relate well to the prevailing two- and three-part structures.

(2) **Scale.** The existing scale can be accomplished in a variety of ways, including: a consistent use of size and complexity of detailing with regard to surrounding buildings, continuance of existing bay widths, maintenance of the existing streetwall height, and the use of a base element (of similar height) to maintain the pedestrian environment. Large wall surfaces, which increase a building's scale, should be broken up through the use of vertical piers, detailing and textural variation to reduce the scale of Second Street.

Existing fenestration (windows, entrances) and rhythms which have been established by lot width or bay width should be repeated in new structures. The spacing and size of window openings should follow the sequence set by historic structures. Large glass areas should be broken up by mullions so that the scale of glazed areas is compatible with that of neighboring buildings. Casement and double-hung windows should be used where possible since most existing buildings use these window types.

(3) **Materials and Colors.** The use of masonry and stone materials or materials that appear similar (such as substituting concrete for stone) can link two disparate structures, or harmonize the appearance of a new structure with the architectural character of a Conservation District. The preferred surface materials for this District are brick, stone, terra cotta and concrete (simulated to look like terra cotta or stone).

The texture of surfaces can be treated in a manner so as to emphasize the bearing function of the material, as is done with rustication on the Rialto Building. Traditional light colors should be used in order to blend in with the character of the district. Dissimilar buildings may be made more compatible by using similar or harmonious colors, and to a lesser extent, by using similar textures.

(4) **Detailing and Ornamentation.** A new building should relate to the surrounding area by picking up elements from surrounding buildings and repeating them or developing them for new purposes. The new structure should

incorporate prevailing cornice lines or belt courses. A variety of Renaissance/Baroque, Gothic and Moderne ornament in the District provides sources for detailing in new buildings in order to strengthen their relationship. Similarly shaped forms can be used as detailing without directly copying historical ornament.

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

SEC. 8. TDR; ELIGIBILITY OF CATEGORY V BUILDINGS.

Category V Buildings in that portion of the New Montgomery-Mission-Second Street Conservation District which is in the 150-S Height District as shown on Sectional Map 1H of the Zoning Map are eligible for the transfer of TDR as provided in Section 1109(c).

(Added Ord. 414-85, App. 9/17/85; amended by Ord. [182-12](#), File No. 120665, App. 8/8/2012, Eff. 9/7/2012)

New Montgomery-Mission-Second Street Conservation District



**APPENDIX G TO ARTICLE 11
COMMERCIAL-LEIDESDORFF CONSERVATION DISTRICT**

SEC. 1. FINDINGS AND PURPOSES.

It is hereby found that the area known and described in this Appendix as the Commercial-Leidesdorff area is a Subarea within the C-3 District that possesses concentrations of buildings that together create a Subarea of architectural quality and importance which contributes to the beauty and attractiveness of the City. It is further found that the area meets the

standards for designation of a Conservation District as set forth in Section 1103 of Article 11 and that the designation of said area as a Conservation District will be in furtherance of and in conformance with the purposes of Article 11 of the City Planning Code.

This designation is intended to promote the health, safety, prosperity and welfare of the people of the City through the effectuation of the purposes set forth in Section 1101 of Article 11 and the maintenance of the scale and character of the Commercial-Leidesdorff area by:

- (a) The protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the Conservation District;
- (b) Providing scope for the continuing vitality of the District through private renewal and architectural creativity, within appropriate controls and standards. It is intended to foster a climate in which the Commercial-Leidesdorff area may continue to exist as an important part of the City's commercial base, providing a quiet contrast to the bustle of the rest of the Financial District; and
- (c) Encouragement of the continued intensive use of the District by financial district workers during the noon hours.

(Added Ord. 414-85, App. 9/17/85)

SEC. 2. DESIGNATION.

Pursuant to Section 1103.1 of Article 11, of the City Planning Code (Part II, Chapter XI of the San Francisco Municipal Code), the Commercial-Leidesdorff area is hereby designated as a Conservation District.

(Added Ord. 414-85, App. 9/17/85)

SEC. 3. LOCATION AND BOUNDARIES.

The location and boundaries of the Commercial-Leidesdorff District shall be as designated on the Commercial-Leidesdorff Conservation District Map, the original of which is on file with the Clerk of the Board of Supervisors under File No. 223-84-4, which Map is hereby incorporated herein as though fully set forth, and a facsimile of which is reproduced hereinbelow.

(Added Ord. 414-85, App. 9/17/85)

SEC. 4. RELATION TO CITY PLANNING CODE.

(a) Article 11 of the City Planning Code is the basic law governing preservation of buildings and districts of architectural importance in the C-3 District of the City and County of San Francisco. This Appendix is subject to and in addition to the provisions thereof.

(b) Except as may be specifically provided to the contrary in this Code, nothing in this Appendix shall supersede, impair or modify any City Planning Code provisions applicable to property in the Commercial-Leidesdorff Conservation District, including, but not limited to, regulations controlling uses, height, bulk, coverage, floor area ratio, required open space, off-street parking, and signs.

(Added Ord. 414-85, App. 9/17/85)

SEC. 5. JUSTIFICATION.

The characteristics of the Conservation District justifying its designation are as follows:

(a) **History of the District.** In the 1840's, Montgomery Street (where Captain Jack Montgomery landed) was the wharfside street of the new City. During the Gold Rush a few years later, the new street running parallel with the extended shoreline was named after William Alexander Leidesdorff, the owner of a warehouse at the water's edge. Commercial Street, originally one block between Kearny and Montgomery Streets, grew to the east as land was filled around the Long Wharf.

The first relocation of financial offices in the downtown happened when banks moved their offices, which had been at Portsmouth Square, to the intersection of Montgomery and Commercial Streets. Since that time, Montgomery Street has been the financial center for San Francisco. While financial uses gradually moved south on Montgomery Street towards Market Street in the nineteenth and early twentieth centuries, by the 1920's, the banking center was reestablished in the vicinity of Montgomery and California Streets.

The completion of the Pacific Gas and Electric Substation at the corner of Sacramento and Leidesdorff Street in 1923, largely completed the redevelopment of the Commercial-Leidesdorff District. Buildings along Montgomery Street such as the Bank of Italy Building and the former Bank of Canton Building retained the scale of the pre-fire city. A classical design was used for these banking temples in order to impress the public with the soundness and stability of the bank. The Bank of America (then known as the Bank of Italy) had its headquarters located in the District for many years.

While Montgomery Street has historically been the preferred address for major banks and offices, Commercial and Leidesdorff Streets contained a wide variety of uses which found it convenient to be located near the office district. In the 19th century, Leidesdorff Street connected the A. Paladini Fish Market on Clay Street with the San Francisco Chamber of Commerce on Pine. In the 1920's, these streets boasted several printers and binderies, a cigar factory (554 Commercial), photoengravers, a chemical storage warehouse as well as a paints, oils and varnish business.

(b) **Basic Nature of the District.** The special character of this block is created by the intersection of Commercial and Leidesdorff Streets, dividing the block into quadrants. The northeast quadrant of the block has been developed by a highrise of insensitive scale and design and was therefore excluded from this District. The remaining three quadrants of the Conservation District remain intact. The small size of the parcels determines narrow width of the buildings.

Focusing on the intersection of the two alleys, the District is a quiet area contrasting with the intensity of the Financial District. Because of the small scale, presence of sunshine, and variety of restaurants, this area is extremely popular at lunchtime.

(c) **Architectural Character.** The character of the area is established by a number of buildings of outstanding merit serving as anchors for the District. The contributory buildings are of relatively high quality and are unusually supportive of the District's character. A wide variety of styles exists in the small district, including Classical banking temples, three Pacific Gas and Electric substations with Romanesque and Classical ornament, and one of the more unique Gothic-ornamented structures in the downtown. This collection of styles creates rich visual interest within a concentrated pedestrian environment.

(d) **Uniqueness and Location.** The area is located on the northern edge of the Financial District and is separated from the Jackson Square Historic District by the Transamerica Pyramid. The District is readily accessible from Chinatown, North Beach and Telegraph Hill, as well as the downtown adjacent development. There are no inappropriate modern structures located within its boundaries. Alterations to the ground story have generally been sympathetic to both the character of the district and the buildings themselves.

(e) **Visual and Functional Unity.** The character of the area is one of a common small scale and intimacy created by its intersecting alleys, small lots, masonry structures and buildings with classically derived ornament. Commercial Street links the area to surrounding older development, with views down Commercial Street to the Ferry Building tower in one direction, and to Chinatown in the other direction. The narrowness of the alley and small scale of its buildings makes the district attractive to pedestrians.

(f) **Dynamic Continuity.** The District is a center for restaurants catering to a lunch and after-work clientele. In addition to its entertainment functions, banking, office, retail and industrial uses insure a healthy and productive mix of activities throughout the day.

(g) **Benefits to the City and its Residents.** The District provides a variety of older buildings incorporating space for commercial uses. The area serves as an architectural resource for its concentration of early 20th Century architecture.

(Added Ord. 414-85, App. 9/17/85)

SEC. 6. FEATURES.

The exterior architectural features of the Commercial-Leidesdorff District are as follows:

(a) **Massing and Composition.** For the most part, the buildings are two- or three-part vertical compositions consisting either of a base and a shaft, or a base, a shaft and a capital. The District has a number of low, one-part buildings. These are banking temples and the Pacific, Gas and Electric substations. Some of the smaller buildings use central entryways to create a symmetrical composition. These designs relate well to their context, largely because the narrow streets do not demand a high building or one with multiple parts to maintain a street enclosure.

In addition, buildings are often divided into bays expressing the structure. This was accomplished through fenestration, structural articulation or other detailing which serves to break the facade into discrete segments. A common compositional device in the district is an emphasis placed upon either the end bays or the central bay, creating a varied facade.

Lots are narrow and shallow, typically 20 feet X 60 feet, encouraging a predominant building form of from one to four stories. Buildings up to eight stories on Montgomery Street reflect its function as a prime financial office address.

Almost without exception, the buildings in the Commercial-Leidesdorff Conservation District are built to the front property line and occupy the entire site. A number of buildings have "L"-shaped massing or through-block lots with frontages on two streets. This reflects the high land values of this District at the time of construction, and the function of the alleys for building service access.

(b) **Scale.** The buildings are of small scale, created by elaborate detailing and low height. A major influence on scale is the degree to which the total facade plane is broken into smaller parts. Window and door openings are relatively small, creating large wall areas, which are frequently heavily ornamented. The bay width is generally from 15 feet to 20 feet. The narrow spacing between the vertical elements creates a regular rhythm. As noted above, the wider frontages are often broken up by articulation of the facade, making the buildings appear narrower. Heights generally range from one to four stories on lots 20 feet to 30 feet wide, although a few taller and wider buildings exist. The base is generally delineated from the rest of the building, giving the District an intimate scale at the street. The alleys are only 30 feet to 36 feet wide, creating an intimate scale. Sacramento Street, the narrowest major street in the downtown at 49 feet, also enhances this small scale.

(c) **Materials and Colors.** Buildings are either clad in masonry over a supporting structure, or are constructed of masonry with load-bearing walls. The cladding materials include brick, terra cotta, stucco, and stone. The buildings fronting on the alleys use materials with rough surface treatments, reflecting the buildings' utilitarian nature. Wood, metal, and metal panels are not commonly used facade materials in the District, although painted wood and metal are sometimes used for window sash and ornament.

The materials are generally colored of light or medium earth tones, including cream, buff, yellow, grey, and brown. Individual buildings generally use a few different tones of one color, highlighting the ornament. Dark or intense colors are not commonly used.

(d) **Detailing and Ornamentation.** The buildings are not constructed in a single style, but with ornament drawn from a variety of historical sources, primarily classical sources. Arcades and arched entryways are common elements in the buildings. Popular details include arches, columns, pilasters, projecting bracketed cornices, multiple belt-courses, elaborate lintels, and pediments. Details were used to relate buildings to their neighbors by repeating and varying the ornament used in the surrounding structures.

(Added Ord. 414-85, App. 9/17/85)

SEC. 7. STANDARDS AND GUIDELINES FOR REVIEW OF NEW CONSTRUCTION AND CERTAIN ALTERATIONS.

(a) **Standards.** All construction of new buildings and all major alterations, which are subject to the provisions of Sections 1110, 1111 through 1111.6 and 1113, shall be compatible with the District in general with respect to the building's composition and massing, scale, materials and colors, and detailing and ornamentation, including those features described in Section 6 of this Appendix. Emphasis shall be placed on compatibility with those buildings in the area in which the new or altered building is located. In the case of major alterations, only those building characteristics that are affected by the proposed alteration shall be considered in assessing compatibility. Signs on the buildings in Conservation Districts are subject to the provisions of Section 1111.7.

The foregoing standards do not require, or even encourage, new buildings to imitate the styles of the past. Rather, they require the new to be compatible with the old. The determination of compatibility shall be made in accordance with the provisions of Section 309.

(b) **Guidelines.** The guidelines in this subsection are to be used in assessing compatibility.

(1) **Composition and Massing.** New construction should maintain the character of the District by relating to the prevailing height, mass, proportions, rhythm and composition of existing historic buildings.

The height and massing of new buildings should not alter the traditional scale of existing buildings, streets and open spaces. On the interior of the block, the existing streetwall height should be maintained. An appropriate streetwall height is established by reference to the prevailing building height on the block and especially that of adjacent buildings. If the adjacent buildings are of a significantly different height than the rest of the buildings on the block, then the prevailing height of buildings on the block should be used as a guide. A setback at the streetwall height can permit additional height above the setback without breaking the continuity of the street wall. On blockfronts where the street wall is less well-defined, greater latitude in height may be allowed.

Most existing buildings are built to the property or street line. This pattern should not be broken since it could damage the continuity of building rhythms and the definition of streets.

The standard proportions of new buildings should be established by the prevailing streetwall height and width of lots. Lot assembly should be discouraged to maintain the existing lot pattern and building proportions. In cases where lot assembly does occur, it is necessary to break up the facades of new buildings into discrete elements that relate to prevailing building proportions. The use of smaller bays is a way in which to relate the proportions of a new building with those of historic buildings.

The design of a new structure should repeat the prevailing pattern of two- and three-part vertical compositions, although low buildings could use a one-part vertical division. A base element is necessary to define the pedestrian environment. Alterations to existing structures should maintain the existing vertical and horizontal divisions, and should respect the original ground story enframingent. Cornices and belt courses should not be removed or altered.

(2) **Scale.** The existing scale of the immediate area and the Conservation District should be maintained. This can be accomplished in a variety of ways, including: a consistent use of size and complexity of detailing in regards to surrounding buildings, continuance of existing bay widths, maintenance of an existing streetwall height, and incorporation of a base element (of similar height to existing bases) to maintain the pedestrian environment. Large wall surfaces, which increase a building's scale, should be broken up through the use of detailing and textural variation to reduce the scale.

Existing fenestration (windows, entrances) rhythms and proportions which have been established by lot width or bay width should be repeated in new structures. The spacing and size of window openings should follow the sequence set by historic structures. Large glass areas should be broken up by mullions so that the scale of glazed areas is compatible with that of neighboring buildings. Casement and double-hung windows should be used where possible.

(3) **Materials and Colors.** The use of like materials can relate two buildings of obviously different eras and styles. Similarly, the use of materials that appear similar (such as substituting concrete for terra cotta) can link two disparate structures, or harmonize the appearance of a new structure with the architectural character of a conservation district. The preferred surface materials for this district are brick, terra cotta, stone, and concrete (simulated to look like terra cotta or stone). The texture of surfaces can be treated in a manner so as to emphasize the bearing function of the material, as is done in rustication on historic buildings. In addition, in some cases it may be appropriate to leave the surface roughly dressed, emphasizing the utilitarian character of the interior frontages.

Traditional light colors should be used in order to blend in with the character of the district. Dissimilar buildings may be made more compatible by using similar or harmonious colors, and, to a lesser extent, by using similar textures.

(4) **Detailing and Ornamentation.** A new building should relate to the surrounding area by picking up elements from surrounding buildings and repeating them or developing them for new purposes. An ornamental detail can be taken from an adjacent building and used in a new building to relate the latter to the surrounding area. Alternately, similarly shaped forms can be used without directly copying historical ornament. The new structure should incorporate prevailing cornice lines or belt courses and may use a modern vernacular instead of that of the original model.

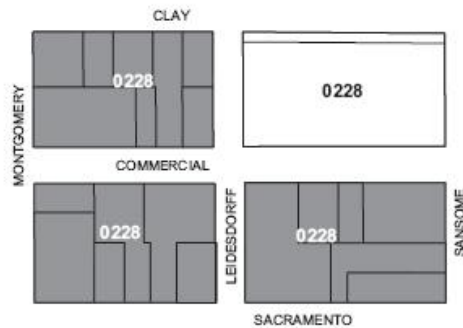
(Added Ord. 414-85, App. 9/17/85)

SEC. 8. TDR: ELIGIBILITY OF CATEGORY V BUILDINGS.

Category V Buildings in the Commercial-Leidesdorff District are eligible for the transfer of TDR as provided in Section 1109(c).

(Added Ord. 414-85, App. 9/17/85)

COMMERCIAL-LEIDESDORFF CONSERVATION DISTRICT



APPENDIX H TO ARTICLE 11 FRONT-CALIFORNIA CONSERVATION DISTRICT

SEC. 1. FINDINGS AND PURPOSES.

It is hereby found that the area known and described in this Appendix as the Front-California Street area is a Subarea within the C-3 District that possesses concentrations of buildings that together create a Subarea of architectural quality and importance which contributes to the beauty and attractiveness of the City. It is further found that the area meets the standards for designation of a Conservation District as set forth in Section 1103 of Article 11 and that the designation of said area as a Conservation District will be in furtherance of and in conformance with the purposes of Article 11 of the City Planning Code.

This Designation is intended to promote the health, safety, prosperity and welfare of the people of the City through the effectuation of the purposes set forth in Section 1101 of Article 11 and the maintenance of the scale and character of the Front-California area by:

- (a) The protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the Conservation District;
- (b) Providing scope for continuing vitality of the District through private renewal and architectural creativity, within appropriate controls and standards. It is intended to foster a climate in which the area continues to provide a variety of retail and commercial uses of significant value to the City.
- (c) Encouragement of the continued intensive use of the District by financial district workers during the noon hours.

(Added Ord. 414-85, App. 9/17/85)

SEC. 2. DESIGNATION.

Pursuant to Section 1103.1 of Article 11, of the City Planning Code (Part II, Chapter II of the San Francisco Municipal Code), the Front-California area is hereby designated as a Conservation District.

(Added Ord. 414-85, App. 9/17/85)

SEC. 3. LOCATION AND BOUNDARIES.

The location and boundaries of the Front-California Conservation District shall be as designated on the Front-California Conservation District Map, the original of which is on file with the Clerk of the Board of Supervisors under File No. 223-84-4, which Map is hereby incorporated herein as though fully set forth, and a facsimile of which is reproduced below.

(Added Ord. 414-85, App. 9/17/85)

SEC. 4. RELATION TO CITY PLANNING CODE.

(a) Article 11 of the City Planning Code is the basic law governing preservation of buildings and districts of architectural and environmental importance in the C-3 District of the City and County of San Francisco. This Appendix is subject to and in addition to the provisions thereof.

(b) Except as may be specifically provided to the contrary in this Code, nothing in this Appendix shall supersede, impair or modify any City Planning Code provisions applicable to property in the Front-California Conservation District including, but not limited to, regulations controlling uses, height, bulk, coverage, floor area ratio, required open space, off-street parking and signs.

(Added Ord. 414-85, App. 9/17/85)

SEC. 5. JUSTIFICATION.

The characteristics of the Conservation District justifying its designation are as follows:

(a) **History of the District.** Located to the east of the financial district on filled land, this District was outside of the major downtown growth corridors in the nineteenth and early twentieth centuries. The location of the Federal Reserve Bank on Battery Street and the construction of several office buildings (Southern Pacific, Matson) in the 1920's, linked the financial district with port-oriented buildings on lower California and Market Streets. While office uses have been located on California Street since 1906, the area east of Battery Street was not fully integrated into the financial district until 1920, when the street assumed its present character.

The development of Front Street proceeded at a slower pace and was not complete until the 1930's. Front Street was redeveloped after the fire, with warehouses and industrial buildings serving the produce district to the north and office support services serving the office core to the west and on California Street. Buildings on Front Street commonly contained stores and offices at the ground level while upper stories were used for stock purposes and general storage. Several offices and printers were also located on the street.

(b) **Basic Nature of the District.** The low height and small scale of this District create a contrast to the rest of the financial district and the adjacent Embarcadero Center. The District still retains its post-fire appearance, as most of the architecturally significant buildings were constructed in the short period from 1907 through 1918. Six of the District's 19 buildings are architecturally significant and six are contributory to the District. Only seven buildings are unrated.

The low buildings on Front Street and the narrow lot widths create an open, sunlit streetscape. Because of the character of the District and its proximity to the financial district, a variety of commercial (especially retail) enterprises serve pedestrians from the surrounding financial district. The scale of the California Street buildings is kept low by Halleck Street, which runs parallel to California and limits the lot size on that street. The street also divides Front in half on the west side, enhancing the small scale of that block.

(c) **Architectural Character.** Although the Front Street buildings are lower and of lesser quality than the California Street buildings, similar design elements in the buildings tie them together to form a coherent entity. The buildings on Front Street are generally in the two- to four-story range, while most of the buildings on California Street are in the four- to seven-story range. The buildings' ornament is generally derived from Renaissance sources and the buildings employ similar scale, height, fenestration, texture, and materials.

(d) **Uniqueness and Location.** This district, along with the nearby Commercial-Leidesdorff District, forms one of the last small-scale areas with architecturally significant buildings in the northern section of the financial district. It provides a low-intensity contrast to the dense office core and the Embarcadero Center development.

(e) **Visual and Functional Unity.** The District forms a coherent entity. Outside the boundary, the older buildings become larger and are interspersed with more modern structures. The similar character and scale of the buildings unify the District.

(f) **Dynamic Continuity.** The area has demonstrated economic viability evidenced by its mix of active retail and commercial uses.

(g) **Benefits to the City and Its Residents.** The District provides a variety of retail and commercial uses in small older structures. The area is an architectural resource for its collection of small industrial buildings. The District still retains the scale and character, if not the actual Victorian buildings, of the pre-fire commercial district.

(Added Ord. 414-85, App. 9/17/85)

SEC. 6. FEATURES.

The exterior architectural features of the Front-California District are as follows:

(a) **Scale, Form, and Proportion.** The buildings in this District are of a variety of heights, ranging from one story to 11 stories. Unlike other districts which have a prevailing streetwall height, this District has a varied streetwall height, allowing sunlight to penetrate to the street most of the day. Lot widths range from 25 feet to 60 feet, lot depths range from 60 feet to 140 feet.

(b) **Materials, Color, Texture.** Facade materials include exposed brick, stucco, metal, and terra cotta panels. Colors include white, grey masonry and terra cotta, red brick, and deep reds and greens. The texture of the buildings varies from smooth stucco to richly textured and ornamented terra cotta panels.

(c) **Details.** Building styles range from utilitarian brick industrial with decorative brickwork to ornate Renaissance Revival buildings. Details include glazed brickwork, arches, decorated spandrels, projecting cornices and belt courses, pilasters, and rustication.

(Added Ord. 414-85, App. 9/17/85)

SEC. 7. STANDARDS AND GUIDELINES FOR REVIEW OF NEW CONSTRUCTION AND CERTAIN ALTERATIONS.

(a) **Standards.** All construction of new buildings and all major alterations, which are subject to the provisions of Sections 1110, 1111 through 1111.6 and 1113, shall be compatible with the District in general with respect to the building's composition and massing, scale, materials and colors, and detailing and ornamentation, including those features described in Section 6 of this Appendix. Emphasis shall be placed on compatibility with those buildings in the area in which the new or altered building is located. In the case of major alterations, only those building characteristics that are affected by the proposed alteration shall be considered in assessing compatibility. Signs on buildings in Conservation Districts are subject to the provisions of Section 1111.7.

The foregoing standards do not require, or even encourage, new buildings to imitate the styles of the past. Rather, they require the new to be compatible with the old. The determination of compatibility shall be made in accordance with the provisions of Section 309.

(b) **Guidelines.** The guidelines in this subsection are to be used in assessing compatibility.

(1) **Composition and Massing.** New construction should maintain the character of both Front and California Streets by relating to the prevailing height, mass, proportions, rhythm and composition of historic buildings.

The height and massing of new buildings should not alter the traditional scale of existing buildings, streets and open spaces. Since buildings on California Street commonly range from five to eight stories, new buildings should relate to those heights. Similarly, new buildings on Front Street should relate to the existing pattern of buildings under five stories in height. A setback at the predominant streetwall height can permit additional height above the setback without breaking the continuity of the streetwall.

Almost all existing buildings are built to the property or street line. This pattern, except in the case of carefully selected open spaces, should not be broken since it could damage the continuity of building rhythms and the definitions of streets.

Vertical and horizontal proportions for new buildings should be established by heights of existing streetwall and the width of existing buildings (and lots). Due to the regular rhythm of small structures on Front Street, a new building which is built on a large site should break up its facade into discrete sections that relate to the small building masses. This can be

best accomplished through the use of vertical piers and separate entrances for the different sections. However, the slightly larger lots on California Street would allow buildings to have greater horizontal dimensions as well as greater heights. The use of smaller bays is another way in which to relate the proportions of a new building with those of historic buildings.

The design of a new structure should also repeat the prevailing pattern of two- and three-part vertical compositions. One-part buildings without base sections do not adequately define the pedestrian streetscape and do not relate well to the historic two- and three-part structures. This division of a building allows flexibility in the design of the ground story while encouraging a uniform treatment of the upper stories.

(2) **Scale.** The existing scale of the Front-California Conservation District is one of its most important assets and should be maintained. This can be accomplished by the consistent use of size and complexity of detailing in relation to surrounding buildings. In addition, the continuance of existing bay widths and the incorporation of a base element (of similar height) help to maintain the pedestrian environment. Especially on Front Street, large wall surfaces, which increase a building's scale, should be broken up through the use of detailing and textural variation to reduce the scale.

Existing fenestration (windows, entrances) rhythms and proportions which have been established by lot width or bay width should be repeated in new structures. The spacing and size of window openings should follow the sequence set by historic structures. Most glass areas should be broken up by mullions so that the scale of glazed areas is compatible with that of the neighboring buildings. Casement and double-hung windows should be used where possible.

(3) **Materials and Colors.** The use of historic materials or those that appear similar (such as substituting concrete for stone) can link two disparate structures, or harmonize the appearance of a new structure with the architectural character of a Conservation District. The preferred surface materials for this district are brick, stone and concrete (simulated to look like terra cotta or stone).

Traditional light colors should be used in order to blend in with the character of the District. Dissimilar buildings may be made more compatible by using similar or harmonious colors, and to a lesser extent, by using similar textures.

(4) **Detailing and Ornamentation.** A new building should relate to the surrounding area by picking up elements from surrounding buildings and repeating them or developing them for new purposes. Since most buildings on Front Street are not extensively detailed, new structures should incorporate prevailing cornice lines or belt courses. On California Street, the historic details of existing buildings can serve as models for detailing in new buildings in order to strengthen their relationship. Alternately, similarly shaped ornament can be used as detailing without directly copying historical ornament.

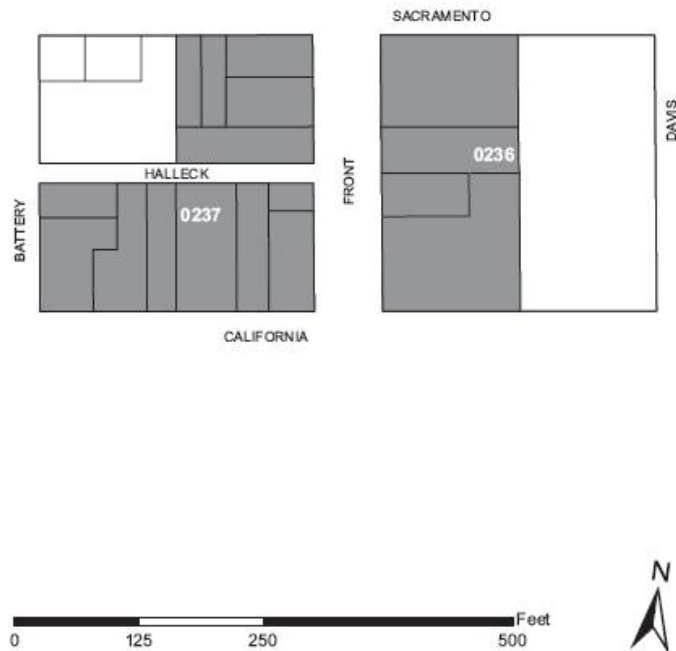
(Added Ord. 414-85, App. 9/17/85)

SEC. 8. TDR; ELIGIBILITY OF CATEGORY V BUILDINGS.

Category V Buildings in the California-Front District are eligible for the transfer of TDR as provided in Section 1109 (c).

(Added Ord. 414-85, App. 9/17/85)

FRONT-CALIFORNIA CONSERVATION DISTRICT



APPENDIX I TO ARTICLE 11 KEARNY-BELDEN CONSERVATION DISTRICT

SEC. 1. FINDINGS AND PURPOSES.

It is hereby found that the area known and described in this Appendix as the Kearny-Belden Street area is a Subarea within the C-3 District that possesses concentrations of buildings that together create a Subarea of architectural quality and importance which contributes to the beauty and attractiveness of the City. It is further found that the area meets the standards for designation of a Conservation District as set forth in Section 1103 of Section 11 and that the designation of said area as a Conservation District will be in furtherance of and in conformance with the purposes of Article 11 of the City Planning Code.

This Designation is intended to promote the health, safety, prosperity and welfare of the people of the City through the effectuation of the purposes set forth in Section 1101 of Article 11. In addition, this designation is intended to preserve the scale and character of the Kearny-Belden area by:

- (a) The protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the Conservation District;
- (b) Providing scope for the continuing vitality of the District through private renewal and architectural creativity, within appropriate controls and standards;
- (c) Encouragement of the continued intensive use of the District by financial district workers during the noon hours.

(Added Ord. 414-85, App. 9/17/85)

SEC. 2. DESIGNATION.

Pursuant to Section 1103.1 of Article 11 of the City Planning Code (Part II, Chapter XI of the San Francisco Municipal Code), the Kearny-Belden area is hereby designated as a Conservation District.

(Added Ord. 414-85, App. 9/17/85)

SEC. 3. LOCATION AND BOUNDARIES.

The location and boundaries of the Kearny-Belden Conservation District shall be as designated on the Kearny-Belden Conservation District Map, the original of which is on file with the Clerk of the Board of Supervisors under File No. 223-84-4, which Map is hereby incorporated herein as though fully set forth, and a facsimile of which is reproduced herein below.

(Added Ord. 414-85, App. 9/17/85)

SEC. 4. RELATION TO CITY PLANNING CODE.

(a) Article 11 of the City Planning Code is the basic law governing preservation of buildings and districts of architectural importance in the C-3 District of the City and County of San Francisco. This Appendix is subject to and in addition to the provisions thereof.

(b) Except as may be specifically provided to the contrary in this Code, nothing in this Appendix shall supersede, impair or modify any City Planning provisions applicable to property in the Kearny-Belden Conservation District, including, but not limited to, regulations controlling uses, height, bulk, coverage, floor area ratio, required open space, off-street parking, and signs.

(Added Ord. 414-85, App. 9/17/85)

SEC. 5. JUSTIFICATION.

The characteristics of the Conservation District justifying its designation are as follows:

(a) **History of the District.** In the nineteenth century, private alleys were cut to permit access to the interiors of blocks, allowing more intensive development than would otherwise have been possible. In this immediate area, the blocks were typically cut by one or more alleys. Some of these, like Belden Street and St. George Alley, still exist. Others, such as Lick Alley and Summer Alley, have been incorporated into new developments. Thus, the character of this District was established when Belden Street was cut through between Pine and Bush Streets. Belden Street is one of the best remaining examples of the development pattern of the pre-fire era.

Buildings along Kearny, Bush and Pine Streets were completed several years before the small structures on the interior portion of Belden Alley. Since the District was only a few blocks south of Portsmouth Square, Kearny Street had a large number of businesses serving both nearby residents as well as mercantile and port activities. As the City grew in the 1870's, Kearny Street became the most fashionable retail street in the City. Yet, by the turn of the century, the movement of retail stores to Market Street and the Union Square/Grant Avenue area eclipsed Kearny Street's prominence. After the fire of 1906, Kearny Street found itself located between the financial and retail districts. By 1931, Kearny Street was a low-rent area of small stores and hotels. Some support uses for nearby Montgomery Street found Kearny a convenient location and printers, sign painters and some offices located on the street. While Belden Street was originally a service alley, restaurants located on the small street during the 1920's and 1930's.

(b) **Basic Nature of the District.** The District consists of the east side of the 300 block of Kearny Street and the buildings which front on Belden Street, which runs parallel to Kearny. The depth of the lots is from 40 to 60 feet, which has served as an effective limit on the height and scale of the buildings. The District has become the location for a number of small, moderately priced restaurants and the Belden Street right-of-way is closed down during the lunch hours to create a pedestrian mall which is heavily used. During this time, restaurants move tables out into the street for open-air dining. In addition, street trees have been planted and benches installed.

(c) **Architectural Character.** The District has only a few individual buildings of outstanding quality. Its unique quality is based on its character, rather than its examples of outstanding architecture. The District is also important as an example of historic building and development patterns. The District is expressive of the different requirements of the street frontages. The character of the District is maintained by the small-scale, red brick structures on Belden Street, often utilitarian in character, with minimal ornament. The facades fronting on Kearny Street are more elaborate, with ornament derived from Renaissance sources.

(d) **Uniqueness and Location.** The District is almost entirely intact, except for one unsympathetically remodeled building. Alterations to the lower stories have generally been compatible with the District, and in recent years commercial

alterations have been effected more compatible with the character of the District. The area is located on the edges of the Financial and Retail Districts, and at the foot of Nob Hill eastern slope.

(e) **Visual and Functional Unity.** The character of the area is determined by the use of a consistent scale, fenestration, materials, colors, and style.

(f) **Dynamic Continuity.** The District supplies a variety of services to the working population of the downtown area. The shops and restaurants are active and thriving.

(g) **Benefits to the City and Its Residents.** The district provides a variety of retail and commercial uses, including moderately priced restaurants and an attractive setting in which to enjoy lunch. The restaurants generally locate in small, older structures. The area serves as a respite from the dense financial district to the east.

(Added Ord. 414-85, App. 9/17/85)

SEC. 6. FEATURES.

The exterior architectural features of the Kearny-Belden District are as follows:

(a) **Massing and Composition.** The Kearny Street facades are elaborate designs, while the Belden Street facades are utilitarian in character. The treatment of the facades reflects the differing character of the streets. Kearny Street is a major pedestrian and vehicular corridor, and a prime shopping street. For the most part, the Kearny Street facades are two- or three-part vertical compositions consisting either of a base and a shaft, or a base, a shaft and a capital. Belden Street is a narrow alley, originally created to allow access to the interior of the block. The facades on Belden Street are largely unornamented, perhaps with a corbelled cornice or a decorative tile roof. The compositions are simple one-part structures from one to four stories high. There are a few small stucco buildings, probably built as warehouses. These designs are successful in maintaining the street enclosure, largely because the narrow widths of the streets do not demand a high building or one with multiple parts.

In addition, the Kearny Street facades are often divided into bays expressing the structure. This was accomplished through fenestration, structural articulation or other detailing which serves to break the facade into discrete segments.

Both the scale and height of the buildings in the District are extremely small, a result of the lot and street patterns. The lot depth is generally under 60 feet, and half the lots have frontages on Kearny and Belden Streets. As a consequence of the limited size of lots, most of the buildings are limited to four stories or less. A number of the buildings are only one story high.

Without exception, the buildings in the Kearny-Belden Conservation District are built to the front property line and occupy the entire site.

(b) **Scale.** The buildings are of small scale, created by the buildings' elaborate detailing and low height. A major influence on scale is the degree to which the total facade plane is broken into smaller parts which relate to human scale. Window and door openings are relatively small, creating large wall areas, which are frequently heavily ornamented. The bay width is generally from 15 feet to 20 feet. Heights generally range from one to four stories on lots 20 feet to 30 feet wide, although a few taller and wider buildings exist. As noted above, the wider frontages are often broken up by articulation of the facade, making the buildings appear narrower. On the Kearny Street facades, the base is generally delineated from the rest of the building, giving the district an intimate scale at the street.

(c) **Materials and Colors.** Buildings are either clad in masonry over a supporting structure, or are constructed of masonry with load-bearing walls. The cladding materials include brick, terra cotta, and stucco. Materials have rough surface treatments, especially those located on the alleys, reflecting the building's utilitarian nature. Wood, metal, and metal panels are not commonly used facade materials in the District, although painted wood and metal are sometimes used for window sash and ornament.

The materials are generally colored of light or medium earth tones, including cream, buff, yellow and red. Individual buildings generally use a few different tones of one color, highlighting the ornament. Dark or intense colors are not commonly used.

The Belden Street facades are simply treated wall surfaces, with little expression of weight or mass from wall articulation. The small unit of the brick creates a textured facade, and reduces the scale of the undifferentiated facades.

(d) **Detailing and Ornamentation.** The Kearny Street frontages are not constructed in a single style, but with ornament drawn from a variety of historical, primarily Classical, sources. Popular details include arches, columns, pilasters, projecting bracketed cornices, multiple belt-courses, elaborate lintels, and pediments. Details were used to relate buildings to their neighbors by repeating and varying the ornament used in the surrounding structures.

The Belden Street frontages are unadorned, except for slight corbelled cornices at the upper levels or false tile roofs on the stucco buildings.

(Added Ord. 414-85, App. 9/17/85)

SEC. 7. STANDARDS AND GUIDELINES FOR REVIEW OF NEW CONSTRUCTION AND CERTAIN ALTERATIONS.

(a) **Standards.** All construction of new buildings and all major alterations, which are subject to the provisions of Sections 1110, 1111 through 1111.6 and 1113, shall be compatible with the District in general with respect to the building's composition and massing, scale, materials and colors, and detailing and ornamentation, including those features described in Section 6 of this Appendix. Emphasis shall be placed on compatibility with those buildings in the area in which the new or altered building is located. In the case of major alterations, only those building characteristics that are affected by the proposed alteration shall be considered in assessing compatibility. Signs on buildings in Conservation Districts are subject to the provisions of Section 1111.7.

The foregoing standards do not require, or even encourage, new buildings to imitate the styles of the past. Rather, they require the new to be compatible with the old. The determination of compatibility shall be made in accordance with the provisions of Section 309.

(b) **Guidelines.** The guidelines in this subsection are to be used in assessing compatibility.

(1) **Composition and Massing.** New construction should maintain the character of the District by relating to the prevailing height, mass, proportions, rhythm and composition of existing historic buildings.

The height and massing of new buildings should not alter the traditional scale of existing buildings, streets and open spaces. On the Kearny Street, the existing streetwall height should be maintained. An appropriate streetwall height is established by reference to the prevailing height of the buildings on the block and especially that of adjacent buildings. If the adjacent buildings are of a significantly different height than the rest of the buildings on the block, then the prevailing height of buildings on the block should be used as a guide. A setback at the streetwall height can permit additional height above the setback without breaking the continuity of the street wall. On Belden Street, where the street wall is less well defined, greater latitude in height may be allowed. The height limit of 50 feet should be used as a guide to the appropriate height.

Existing buildings are built to the property or street line. This pattern should not be broken since it could damage the continuity of building rhythms and the definition of streets.

The standard proportions for new buildings should be established by the prevailing streetwall height and width of lots. Maintenance of the existing lot pattern and building proportions should be encouraged. In cases where lot assembly does occur, the facades of new buildings should be broken into discrete elements that relate to prevailing building proportions. The use of smaller bays can be used to relate the proportions of a new building with those of historic buildings.

The design of the new structure should reflect the characteristics of the blockfront. Kearny Street facades should repeat the prevailing pattern of two- and three-part vertical compositions, although low buildings could use a one-part vertical division. A base element is necessary to define the pedestrian environment. Belden Street facades should be simply treated, with a cornice or other definition at the roof level.

(2) **Scale.** The existing scale of the immediate area and the Conservation District should be maintained. This can be accomplished in a variety of ways, including a consistent use of size and complexity of detailing with regard to surrounding buildings, continuance of existing bay widths, maintenance of an existing streetwall height, and incorporation of a base element (of similar height) to maintain the pedestrian environment. Large wall surfaces, which increase a building's scale, should be broken up through the use of detailing and textural variation to reduce the scale.

Existing fenestration (windows, entrances) rhythms and proportions which have been established by lot width or bay width should be repeated in new structures. The spacing and size of window openings should follow the sequence set by historic structures. Large glass areas should be broken up by mullions so that the scale of glazed areas is compatible with that of neighboring buildings. Casement and double-hung windows should be used where possible.

(3) **Materials and Colors.** The use of like materials can relate two buildings of obviously different eras and styles. Similarly, the use of materials that appear similar (such as substituting concrete for terra cotta) can link two disparate structures, or harmonize the appearance of a new structure with the architectural character of a Conservation District. The preferred surface materials for this District are brick, or concrete (simulated to look like terra cotta or stucco). The texture of surfaces can be treated in a manner so as to emphasize the bearing function of the material, as is done in rustication on

historic buildings. In addition, in some cases it may be appropriate to leave the surface roughly dressed, emphasizing the utilitarian character of the interior frontages.

Traditional light colors should be used in order to blend in with the character of the Kearny Street facades. Dissimilar buildings may be made more compatible by using similar or harmonious colors, and to a lesser extent, by using similar textures. Belden Street facades should use red brick and stucco-like materials.

(4) **Detailing and Ornamentation.** A new building should relate to the surrounding area by picking up elements from surrounding buildings and repeating them or developing them for new purposes. An ornamental detail can be taken from an adjacent building and used in a new building to relate the latter to the surrounding area. Alternately, similarly shaped forms can be used without directly copying historical ornament. The new structure should incorporate prevailing cornice lines or belt courses and may use a modern vernacular instead of that of the original model.

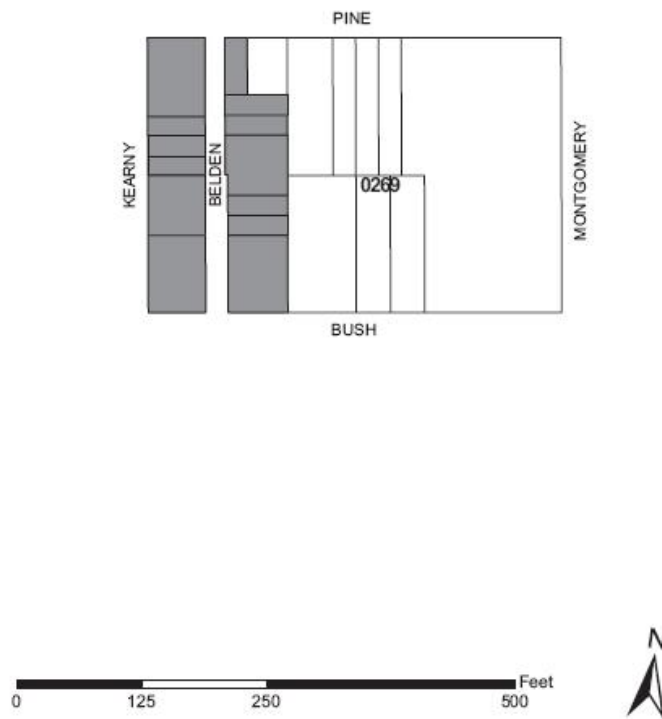
(Added Ord. 414-85, App. 9/17/85)

SEC. 8. TDR; ELIGIBILITY OF CATEGORY V BUILDINGS.

Category V Buildings in the Kearny-Belden District are eligible for the transfer of TDR as provided in Section 1109(c).

(Added Ord. 414-85, App. 9/17/85)

KEARNY-BELDEN CONSERVATION DISTRICT



APPENDIX J TO ARTICLE 11 PINE-SANSOME CONSERVATION DISTRICT

SEC. 1. FINDINGS AND PURPOSES.

It is hereby found that the area known and described in this Appendix as the "Pine-Sansome Street area" is a Subarea within the C-3 District that possesses concentrations of buildings that together create a Subarea of architectural quality and importance which contributes to the beauty and attractiveness of the City. It is further found that the area meets the standards for designation of a Conservation District as set forth in Section 1103 of Article 11 and that the designation of said area as a Conservation District will be in furtherance of and in conformance with the purposes of Article 11 of the City Planning Code.

This designation is intended to promote the health, safety, prosperity and welfare of the people of the City through the effectuation of the purposes set forth in Section 1101 of Article 11 and the maintenance of the scale and character of the Pine-Sansome area by:

- (a) The protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the Conservation District;
- (b) Providing scope for the continuing vitality of the District through private renewal and architectural creativity, within appropriate controls and standards;
- (c) Encouragement of the continued intensive use of the District for financial and business office activities.

(Added Ord. 414-85, App. 9/17/85)

SEC. 2. DESIGNATION.

Pursuant to Section 1103.1 of Article 11, of the City Planning Code (Part II, Chapter XI of the San Francisco Municipal Code), the Pine-Sansome area is hereby designated as a Conservation District.

(Added Ord. 414-85, App. 9/17/85)

SEC. 3. LOCATION AND BOUNDARIES.

The location and boundaries of the Pine-Sansome Conservation District shall be as designated on the Pine-Sansome Conservation District Map, the original of which is on file with the Clerk of the Board of Supervisors under File No. 223-84-4, which Map is hereby incorporated herein as though fully set forth, and a facsimile of which is reproduced hereinbelow.

(Added Ord. 414-85, App. 9/17/85)

SEC. 4. RELATION TO CITY PLANNING CODE.

(a) Article 11 of the City Planning Code is the basic law governing preservation of buildings and districts of architectural importance in the C-3 District of the City and County of San Francisco. This Appendix is subject to and in addition to the provisions thereof.

(b) Except as may be specifically provided to the contrary in this Code, nothing in this Appendix shall supercede, impair or modify any City Planning Code provisions applicable to property in the Pine-Sansome Conservation District, including, but not limited to, regulations controlling uses, height, bulk, coverage, floor area ratio, required open space, off-street parking and signs.

(Added Ord. 414-85, App. 9/17/85)

SEC. 5. JUSTIFICATION.

The characteristics of the Conservation District justifying its designation are as follows:

(a) **History of the District.** The flat land-filled area east of Montgomery Street became an early center of household furnishings on Pine Street and hotels on Sansome Street. The block of Leidesdorff Street near Pine was once known as Pauper's Alley. By 1875, financial offices from nearby Montgomery Street had located in the area. A stock exchange subdistrict, established in the late 1870's, included the Stock and Exchange Board, the Pacific Exchange and the California Stock Exchange. This District remained largely intact until the Earthquake and Fire of 1906 when two of the exchanges located elsewhere. In the 1920's, as banks moved their offices north along Montgomery Street, some banks and more insurance companies located on Pine Street near Sansome.

When the U.S. Subtreasury Building added its 12-story office extension in the late 1920's, the district largely assumed its present architectural character. The replacement of the Subtreasury by the Pacific Coast Stock Exchange in the 1930's,

one of the most important financial institutions in the Western United States, was an important factor in solidifying the District's status as a financial center. Ever since then the area has played an important role in the financial life of the City.

(b) **Basic Nature of the District.** The distinguishing characteristic of the District is the relationship between the street and alley network and the series of distinguished office and financial buildings from the early part of the twentieth century. Buildings are defined and set off from each other by an intricate network of public and private alleys. Although most buildings are built to the property lines, in several cases alleys divide their facades. The network of alleys creates open spaces between buildings which distinguishes the District from other parts of the downtown. The rhythm of buildings and street spaces establishes a human scale in the District. Another definitive feature is the Pacific Coast Stock Exchange, set back from the street upon a base of broad steps. Since the building's forecourt provides an intimate open space with adequate sunshine, it is a popular daytime gathering place.

(c) **Architectural Character.** The buildings in the District are of high design quality, executed in a variety of ornamental styles. Examples of Classical Moderne, Skyscraper Gothic, Gothic, Georgian Revival, as well as the more familiar buildings derived from Renaissance sources, create a rich mix of twentieth century styles.

(d) **Uniqueness and Location.** Near the western edge of the financial district, the District is a large intact example of early twentieth century office architecture in the financial district. Aside from other assemblages of historic office buildings on California and Montgomery Streets, the Pine Sansome district is one of the only remaining areas where an entire pre-World War II streetscape is intact.

(e) **Visual and Functional Unity.** The area has a coherent character created by similar small to moderate scale buildings executed in like materials and colors, and situated on interconnected alleys and small lots. The series of buildings on the south side of Pine Street is constructed out of grey granite, or terra cotta fired to resemble granite.

(f) **Dynamic Continuity.** The District has been and continues to be an active part of the financial district. It contains a variety of uses, including offices, banks, services, retail establishments and small restaurants.

(g) **Benefits to the City and its Residents.** The District provides a variety of benefits to the City and its residents. A range of commercial services are located within the District, including the City's stock exchange, and a number of examples of pre-1930 office development.

(Added Ord. 414-85, App. 9/17/85)

SEC. 6. FEATURES.

The exterior architectural features of the Pine-Sansome Conservation District are as follows:

(a) **Massing and Composition.** For the most part, the buildings are two- or three-part vertical compositions. In more elaborate designs transitional stories create a stacked composition, but the design effect is similar. In addition, buildings are often divided through fenestration or other detailing into bays to express their internal structure. A common compositional device in the District is the emphasis placed upon the central bays.

The massing of the structures is usually a simple vertically oriented rectangle with a ratio of width to height generally from 1:2 to 1:6, an important characteristic of the District. The building heights range from 45 feet to 200 feet. Building frontages are relatively consistent, generally ranging from 40 feet to 75 feet. In addition, continuous streetwall heights are a characteristic of the west side of Pine Street. The heights of the buildings step down towards the west. With the exception of the Pacific Coast Stock Exchange, the buildings in the Pine-Sansome Conservation District are built to the front property line and occupy the entire site.

(b) **Scale.** The buildings are of small to moderate scale with bay widths generally from 20 feet to 30 feet. Wider frontages are often broken up by articulation of the facade, making the buildings appear narrower. The street frontages are broken up by the aforementioned alleys, further limiting the scale of the District. The base is generally delineated from the rest of the building, giving the District an intimate scale at the street.

(c) **Materials and Colors.** Buildings are constructed of masonry or terra cotta, or various shades of brick. The buildings are light-colored grays or cream colors, with some red brick buildings. Through the use of rich detailing, often executed in deep relief, textural facades are emphasized.

(d) **Detail and Ornamentation.** The buildings in the District are richly detailed in a wide variety of styles for such a small area. Ornamental types include rich sculptural groups in the Moderne style, bas reliefs, rusticated bases, colonades, pointed and round headed arches, bracketed cornices, belt courses, and decorative keystones.

(Added Ord. 414-85, App. 9/17/85)

SEC. 7. STANDARDS AND GUIDELINES FOR REVIEW OF NEW CONSTRUCTION AND CERTAIN ALTERATIONS.

(a) **Standards.** Within Conservation Districts, all construction of new buildings and all major alterations, which are subject to the provisions of Sections 1110, 1111 through 1111.6 and 1113, shall be compatible with the District in general with respect to the building's composition and massing, scale, materials and colors, and detailing and ornamentation, including those features described in Section 6 of this Appendix. Emphasis shall be placed on compatibility with those buildings in the area in which the new or altered building is located. In the case of major alterations, only those building characteristics that are affected by the proposed alteration shall be considered in assessing compatibility. Signs on buildings in Conservation Districts are subject to the provisions of Section 1111.7.

The foregoing standards do not require, or even encourage, new buildings to imitate the styles of the past. Rather, they require the new to be compatible with the old. The determination of compatibility shall be made in accordance with the provisions of Section 309.

(b) **Guidelines.** The guidelines in this Subsection are to be used in assessing compatibility.

(1) **Composition and Massing.** New construction should maintain the character of the District by relating to the prevailing height, mass, proportions, rhythm and composition of existing historic buildings.

The height and massing of new buildings should not alter the traditional scale of existing buildings, streets and open spaces. Existing streetwall heights should be maintained. An appropriate streetwall height is established by reference to the prevailing building height on the block and especially to that of adjacent buildings. If the adjacent buildings are of a significantly different height than the rest of the buildings on the block, then the prevailing height of buildings on the block should be used as a guide. A setback at the streetwall height can permit additional height above the setback without breaking the continuity of the streetwall.

Most existing buildings are built to the street or alley line. This pattern should not be broken since it could damage the continuity of building rhythms and the definition of streets.

The standard proportions for new buildings should be established by the prevailing streetwall height and width of lots. Lot assembly should be discouraged to maintain the existing lot pattern. In cases where lots are combined, facades of new buildings should be broken into discrete elements that relate to prevailing building proportions. The use of smaller bays can be used to relate the proportions of a new building with those of historic buildings.

The design of a new structure should repeat the prevailing pattern of two- and three-part vertical compositions.

(2) **Scale.** A major influence on scale is the degree to which the total facade plane is broken into smaller parts which relate to human scale. The existing scale of the immediate area and the Conservation District should be maintained by a consistent use of size and complexity of detailing with regard to surrounding buildings, and the continuance of existing bay widths. Base elements (of similar height to existing bases) should be used to maintain a sense of human scale on streets and sidewalks. Large wall surfaces, which increase a building's scale, should be broken up through the use of detailing and textural variation to reduce the scale.

Existing fenestration (windows, entrances) rhythms and proportions which have been established by lot width or bay width should be repeated in new structures. The spacing and size of window openings should follow the sequence set by existing structures. Large glass areas should be broken up by mullions so that the scale of glazed areas is compatible with that of neighboring buildings.

(3) **Materials and Colors.** The use of like materials can relate two buildings of obviously different eras and styles. The use of materials that appear similar (such as substituting concrete for terra cotta) can link two disparate structures, or harmonize the appearance of a new structure with the architectural character of a Conservation District.

The preferred surface materials for this District are brick, terra cotta, stone, and concrete (simulated to look like terra cotta or stone). New buildings should use more than one facade material to repeat the pattern prevalent in existing structures. Since the common colors of the District are those of red brick and grey stone, these colors as well as earth tones should be used in new construction.

(4) **Detailing and Ornamentation.** A new building should relate to the surrounding area by picking up elements from surrounding buildings and repeating them or developing them for new purposes. Ornamental details, such as columns, lintels and arches, can be taken from an adjacent building and used in a new building to relate the latter to the surrounding area. Similarly shaped forms can be used without directly copying historical ornament. The new structure should incorporate prevailing cornice lines, belt courses or rusticated bases and may use a modern vernacular instead of that of the original model.

(Added Ord. 414-85, App. 9/17/85)

SEC. 8. TDR; ELIGIBILITY OF CATEGORY V BUILDINGS.

Category V Buildings in the Pine-Sansome District are eligible for the transfer of TDR as provided in Section 1109(c).

(Added Ord. 414-85, App. 9/17/85)



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