

1 [Planning Code - Amending Kearny-Market-Mason-Sutter Conservation District and Article 11
2 Designation of 55-5th Street]

3 **Ordinance amending the Planning Code to amend Appendix E to Article 11,**
4 **Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic**
5 **Importance in the C-3 (Downtown Commercial) Districts to expand the boundaries of**
6 **the Kearny-Market-Mason-Sutter Conservation District and to designate 55-5th Street**
7 **as a Contributory Building-Category IV; affirming the Planning Department's**
8 **determination under the California Environmental Quality Act; and making public**
9 **necessity, convenience, and welfare findings under Planning Code, Section 302, and**
10 **findings of consistency with the General Plan, and the eight priority policies of**
11 **Planning Code, Section 101.1.**

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

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

20 Section 1. Findings.

21 (a) Environmental Findings. The Planning Department has determined that the
22 proposed Planning Code amendment is subject to a Categorical Exemption from the
23 California Environmental Quality Act (California Public Resources Code section 21000 et seq.,
24 "CEQA") pursuant to Section 15308 of the Guidelines for Implementation of the statute for
25 actions by regulatory agencies for protection of the environment (in this case, landmark
designation). Said determination is on file with the Clerk of the Board of Supervisors in File

1 No. 948 and is incorporated herein by reference. The Board of Supervisors affirms this
2 determination.

3 (b) On March 21, 2018, the Historic Preservation Commission, in Resolution No. 948,
4 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
5 with the City's General Plan and eight priority policies of Planning Code, Section 101.1. The
6 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
7 the Board of Supervisors in File No. 180726, and is incorporated herein by reference.

8 (c) At that same public hearing, the Historic Preservation Commission, in Resolution
9 No. 948, recommended that the Board of Supervisors amend the Kearny-Market-Mason-
10 Sutter Conservation District as set forth herein. A copy of said Resolution is on file with the
11 Clerk of the Board of Supervisors in File No. 180726 and is incorporated herein by reference.

12 (d) Pursuant to Planning Code, Section 302, the Board finds that the proposed
13 amendment to the Article 11 designation will serve the public necessity, convenience and
14 welfare for the reasons set forth in the Historic Preservation Commission Resolution No. 948,
15 which reasons are incorporated herein by reference as though fully set forth. A copy of said
16 Resolution is on file with the Clerk of the Board of Supervisors in File No. 180726.

17 (e) The Board of Supervisors hereby finds that, with the amendments included herein,
18 55 5th Street (aka Lankershim Hotel), Assessor's Parcel Block No. 3705, Lot No. 039, is
19 located in a designated Conservation District, is over 40 years old, has been judged to be
20 either a Building of Individual Importance or Contextual Importance and has been rated either
21 Very Good in Architectural Design or Excellent or Very Good in Relationship to the
22 Environment. For these reasons, the Board finds that amending its designation from Category
23 V (Unrated) to Category IV (Contributory) will further the purposes of and conform to the
24 standards set forth in Article 11 of the San Francisco Planning Code.

1 Section 2. Designation of 55 5th Street as Category IV (Contributory).

2 Pursuant to Sections 1102 and 1106 of the Planning Code, the designation of 55 5th
3 Street, Assessor's Block No. 3705, Lot No. 039 is hereby changed from Category V (Unrated)
4 to Category IV (Contributory). Appendix D of Article 11 of the San Francisco Planning Code is
5 hereby amended to include this property.

6 The property shall be subject to further controls and procedures pursuant to the San
7 Francisco Planning Code and Article 11.

8
9 Section 3. Kearny-Market-Mason-Sutter Conservation District Boundaries.

10 Pursuant to Section 1107 of the Planning Code, the following properties are hereby
11 added to the Kearny-Market-Mason-Sutter Conservation District, as shown on the Kearny-
12 Market-Mason-Sutter Conservation District Map, a copy of which is on file with the Clerk of the
13 Board of Supervisors in File No. 180726, and which Map is hereby incorporated herein as
14 though fully set forth:

- 15 (a) 55 5th Street (aka Lankershim Hotel), Assessor's Parcel Block No. 3705, Lot No.
16 039; and
17 (b) 67-99 5th Street, Assessor's Parcel Block No. 3705, Lot Nos. 021 and 023, and
18 (c) 898 Mission Street, Assessor's Parcel Block No. 3705, Lot No. 054.

19 These properties shall be subject to further controls and procedures pursuant to the
20 San Francisco Planning Code and Article 11.

21
22 Section 4. The Planning Code is hereby amended by amending Appendix E to Article
23 11, to read as follows:

24 **APPENDIX E TO ARTICLE 11**

25 **KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT.**

1 * * * *

2 **SEC. 3. LOCATION AND BOUNDARIES.**

3 The location and boundaries of the Kearny-Market-Mason-Sutter Conservation District
4 shall be as designated on the Kearny-Market-Mason-Sutter Conservation District Map, *as*
5 *amended, original of* which is on file with the Clerk of the Board of Supervisors ~~under~~ *in* File No.
6 ~~223-84-4180726~~, which Map is hereby incorporated herein as though fully set forth and a
7 facsimile of which is reproduced herein below.

8 * * * *

9 **SEC. 5. JUSTIFICATION.**

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

11 * * * *

12 (d) **Uniqueness and Location.** The District's character, although it has many
13 buildings of recent vintage, is largely intact. It is one of the few homogeneous collections of
14 early Twentieth Century commercial architecture of its type in the United States. *Of a total of At*
15 *the time of designation in 1985, this District included 324 buildings ~~in this District~~, 114 of which*
16 *were identified as ~~are~~ architecturally significant and 140 ~~are~~ as contributory. Only 98 buildings*
17 *~~are~~ were not rated. Subsequent amendments to the District and reclassification of individual buildings*
18 *have resulted in a greater concentration of architecturally significant properties. Union Square, an*
19 *integral part of the District, is a unique resource and ranks with the finest open spaces in the*
20 *country. The area is centrally located and easily accessible to the Financial District, Nob Hill,*
21 *the Tenderloin, and the South of Market, as well as outlying districts of the City. The Powell*
22 *Street Cable Car lines is a unique feature which relates the area to the entire northeastern*
23 *quadrant of the City and attracts tourists to the area.*

24 * * * *

25 KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT

1 Street Cable Car lines is a unique feature which relates the area to the entire northeastern
2 quadrant of the City and attracts tourists to the area.

3 * * * *

4 KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT



23
24 Section 5. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:


14 VICTORIA WONG
15 Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102-4689

File Number: 180726

Date Passed: October 23, 2018

Ordinance amending the Planning Code to amend Appendix E to Article 11, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 (Downtown Commercial) Districts to expand the boundaries of the Kearny-Market-Mason-Sutter Conservation District and to designate 55-5th Street as a Contributory Building-Category IV; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

September 24, 2018 Land Use and Transportation Committee - CONTINUED

October 01, 2018 Land Use and Transportation Committee - RECOMMENDED

October 16, 2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

October 23, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

File No. 180726

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
10/23/2018 by the Board of Supervisors of
the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

11/2/2018

Date Approved