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December 15, 2011

President Christina Olague  
Attention: Linda Avery, Commission Secretary  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
Email: [linda.avery@sfgov.org](mailto:linda.avery@sfgov.org)

**Re: Amendments relating to Parking, Awnings, Signs, Exposure, Open Space, and Limited Conforming Uses (Case No. 2011.0532T)**

Dear President Olague and Members of the Commission:

On behalf of San Francisco Architectural Heritage (Heritage), thank you for the opportunity to comment on Supervisor Chiu's proposed ordinance to amend the Planning Code. Heritage's Issues Policy Committee considered the proposed amendments at its most recent meeting, and has limited its comments to provisions that pertain to historic resources. As set forth below, Heritage supports those proposed amendments that would provide flexibility and incentives in the Planning Code to encourage the preservation and adaptive reuse of historic buildings.

Heritage **supports** the following proposed amendments:

- **Permitting exceptions from dwelling unit exposure for historic buildings (SEC. 307(h)(1)(b), p. 251)**

This amendment would provide relief for dwelling unit exposure requirements to Category I-IV buildings (listed in Article 11 of the Planning Code). Because it is often difficult for older buildings to meet existing dwelling unit exposure requirements, providing more flexibility in the code could facilitate reuse of historic buildings that may otherwise be left vacant or insensitively altered.

- **Permitting partial substitution of adjacent public open space for required on-site residential open space in designated landmark buildings, historic districts, and buildings designated as Category I-IV per Article 11 of the Planning Code (SEC. 307(h)(1)(c), p. 251)**

This amendment would allow owners of historic buildings to credit off-site publicly accessible open space towards existing residential open space requirements.

Heritage supports this proposal because flexibility in the code would facilitate conversion of otherwise nonconforming historic buildings to residential uses.

- **Permitting reactivation of pre-1960 commercial storefronts in residential districts, subject to appropriate use and street frontage controls** (SEC. 186(g), p. 173)

The proposed ordinance states: “limited commercial uses in RH, RM, RTO, and RED Districts that have been discontinued or abandoned...may be reactivated with conditional use authorization,” provided they served as commercial use prior to January of 1960, are located on the ground floor, and have not already been converted to dwelling unit(s) (p. 173). The zoning code for Portland, Oregon includes a similar incentive to allow nonresidential uses in individual landmarks and contributing properties in historic districts. Portland’s incentive program has helped to increase development options and income potential, particularly for building types “that do not lend themselves to reuse as dwellings (e.g., churches, meeting halls, and commercial storefront buildings.”<sup>1</sup> Heritage is in strong favor of this proposed amendment because it can encourage entrepreneurs to invest in historic buildings while bringing life to underutilized storefronts and/or institutional buildings.

- **Permitting exceptions from open space, rear yard, parking, and density requirements when converting nonconforming uses in all non-industrial districts to residential uses** (SEC. 307(1)(D), p. 252)

This amendment would allow the Zoning Administrator to “modify or waive dwelling unit exposure requirements, rear yard requirements, [and] open space requirements for inner courts,” and substitute “off-site publicly accessible open space for required residential open space” (p. 252). The proposed amendment would encourage the rehabilitation of historic buildings by streamlining review and providing a viable use for many underutilized historic buildings. Heritage cannot, however, support waiving exposure requirements if the open space or rear yard is identified as a character-defining feature of the historic building or historic district.

- **Incentives for the reuse and restoration of historic and “vintage” signs** (SEC. 602.9 p. 259)

The purpose of this proposed amendment is to “consolidate procedures for designing, altering, and reconstructing historic signs, and exempt historic signs from height limits on signs” (p. 259). Under the current code, Heritage understands that “historic” signs only consist of Historic Movie Theater Projecting Signs and Historic Movie Theater Marquees – other commercial signage is identified as “vintage” signs and different regulations apply to them.

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<sup>1</sup> See the City of Portland’s “Summary of Portland Historic Preservation Zoning Incentives” for a full list of the city’s preservation incentives: [www.portlandonline.com/bps/index.cfm?a=150295&c=44012](http://www.portlandonline.com/bps/index.cfm?a=150295&c=44012).

Heritage supports the proposed amendments because they would provide incentives for the restoration of original signage that often serve as key identifiers in older and historic neighborhoods. One of the proposed amendments, for example, would allow businesses to include a small logo on a vintage sign if they choose to restore it (SEC 602.9(e)(3), p. 262). Under existing legislation, owners of vintage signs have only two choices regarding the maintenance of these signs: (1) restore the sign to its original state, or (2) allow the sign to deteriorate. Currently, no incentive exists to encourage business owners to restore original signs. Supervisor Chiu's proposed legislation would provide an incentive by allowing business owners to include small logos on vintage signs.

In the case of featured architectural historic signs, such as theater marquees, it will be critical to maintain and, as appropriate, restore the original lettering. Indeed, the proposed ordinance provides this type of protection for Historic Movie Theater Projecting Signs, Historic Movie Theater Marquees, and signs painted directly onto walls, doors, and windows. Insofar as the proposed amendment would require review according to the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, the National Park Service's Preservation Brief #25, "The Preservation of Historic Signs," should be referenced to guide treatment decisions.

Heritage **cannot currently support** the following amendment pertaining to historic resources:

- **Permitting transfer of FAR throughout the C-3 for historic buildings** (SEC. 128(c), p. 29)

While Heritage has been a strong advocate for the City's existing TDR program, we do not have adequate information to fully understand the implications of opening the transfer of FAR throughout all C-3 districts. Without further analysis of potential outcomes, Heritage cannot support the proposed amendment at this time. We encourage the City to carefully examine the impacts of expanding the city's TDR program as proposed, including the potential diminution in market value of transferred FAR.

Heritage **requests consideration** of the following preservation incentives:

Heritage understands that Supervisor Chiu drew many of his proposed preservation incentives from Portland's zoning code, which has been recognized as a national model. We urge the Planning Commission to explore additional incentives that have proven successful in Portland, including the elimination of maximum parking requirements for historic properties located in the downtown area.

Heritage believes the adoption of the proposed amendments outlined above will make the reuse of historic buildings in San Francisco more feasible by removing existing obstacles, streamlining review and approval processes, and providing much-needed new incentives.

Thank you again for the opportunity to comment on Supervisor Chiu's proposed amendments to the Planning Code. If you have any questions or need additional information, please do not hesitate to contact me at (415) 441-3000x15 or [mbuhler@sfheritage.org](mailto:mbuhler@sfheritage.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Buhler". The signature is fluid and cursive, with the first name "Mike" and last name "Buhler" clearly distinguishable.

Mike Buhler  
Executive Director

cc: Supervisor David Chiu