

1 [Ordinance Designating the Dogpatch Historic District.]

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3 **Ordinance amending Article 10 of the Planning Code by adding Appendix L designating**
4 **the Dogpatch Historic District and making findings of consistency with the priority**
5 **policies of Planning Code Section 101.1 and the General Plan.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strikethrough italics Times New Roman*~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
11 hereby finds and determines that:

12 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
13 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
14 Planning Commission Resolution No. _____ recommending approval of this Planning Code
15 Amendment, and incorporates such reasons by this reference thereto. A copy of said
16 resolution is on file with the Clerk of the Board of Supervisors in File No. _____.

17 (b) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this
18 ordinance is in consistent with the Priority Policies of Section 101.1(b) of the Planning Code
19 and, when effective, with the General Plan as proposed to be amended and hereby adopts
20 the findings of the Planning Commission, as set forth in Planning Commission Resolution No.
21 _____, and incorporates said findings by this reference thereto.

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1 Section 2. The San Francisco Planning Code is hereby amended by adding Appendix
2 L, to read as follows:

3 **Section 1. Findings And Purposes**

4 The Board of Supervisors hereby finds that the area known and described in this ordinance as
5 the Dogpatch Historic District contains a number of structures having a special character and special
6 historical, architectural and aesthetic interest and value, and constitutes a distinct section of the City.
7 The Board of Supervisors further finds that designation of said area as an Historic District will be in
8 furtherance of and in conformance with the purposes of Article 10 of the Planning Code and the
9 standards set forth therein, and that preservation on an area basis rather than on the basis of
10 individual structures alone is in order.

11 This ordinance is intended to further the general purpose of historic preservation legislation as
12 set forth in Section 1001 of the Planning Code, to promote the health, safety and general welfare of the
13 public.

14
15 **Section 2. Designation.**

16 Pursuant to Section 1004 of the Planning Code, the Dogpatch Historic District is hereby
17 designated as an Historic District, this designation having been duly approved by Resolution No.
18 _____ of the Planning Commission and Resolution No. _____ of the Landmarks Preservation
19 Advisory Board which Resolutions are on file with the Clerk of the Board of Supervisors under File No.
20 _____ and which Resolutions are incorporated herein and made part hereof as though fully set
21 forth.

22
23 **Section 3. Location And Boundaries**

24 The location and boundaries of the Dogpatch Historic District are generally found between:
25 Minnesota and Tennessee Streets, odd and even addresses, from 18th Street to Tubbs Street.

1 Blocks/Lots: 3996/4; 4043/1, 5-7, 9-14, 17; 4060/15; 4106/1-3, 14-16, 2E, 2F, 2G, 2L, 2M, 2O, 2S;
2 4107/1-21, 2H, 5A, 9A, 11B; 4108/1-5, 12-15, 18-19, 1B, 2A, 2B, 2C, 2I, 2J, 2K, 2N, 3C, 3E, 3G, 3H,
3 3O, 3P, 14A; and 4171/2-3, 6-11, 34, 34B, 36; 4172/2, 4, 5, 6, 11, 13, 18, 25, 27-29, 32, 35, 011B,
4 018A, 031, 032, and shall be as designated on the Dogpatch Historic District Map, the original of
5 which is on file with the Clerk of the Board of Supervisors under File No. _____, which Map is
6 hereby incorporated herein as though fully set forth.

7
8 **Section 4. Relation To Planning Code And The Provisions Of The Charter Of The City And**
9 **County Of San Francisco.**

10 (a) Article 10 of the Planning Code is the basic law governing historic preservation in the City
11 and County of San Francisco. This ordinance, being a specific application of Article 10, is both subject
12 to and in addition to the provisions thereof.

13 (b) Except as may be specifically provided to the contrary in this ordinance, nothing in this
14 ordinance shall supersede, impair or modify any Planning Code provisions applicable to property in
15 the Dogpatch Historic District, including but not limited to existing and future regulations controlling
16 uses, height, bulk, lot coverage, floor area ratio, required open space, off-street parking and signs.

17
18 **Section 5. Statement Of Significance.**

19 The Dogpatch District possesses a unique place and significance in the areas of architecture,
20 history, and environment worthy of protection as an historic district. Dogpatch is an approximately
21 nine-block enclave of industrial workers' housing located east of Potrero Hill, in San Francisco's
22 Central Waterfront district. The neighborhood is comprised of almost one-hundred flats and cottages,
23 as well as several commercial, industrial and civic buildings, most of which were erected between 1870
24 and 1930. The neighborhood is significant under National Register Criterion A (Events/Patterns of
25 History) and Criterion C (Design/Construction). The neighborhood is significant on the local city level

1 under Criterion A, within the category of Industry, as the oldest and most intact concentration of
2 industrial workers' housing in San Francisco. No other district of San Francisco or California was
3 industrialized to the degree of Potrero Point during the last quarter of the 19th Century. The shipyards
4 and other maritime-related industries of Potrero Point required a steady supply of inexpensive
5 immigrant labor in an area that was geographically cut off from the rest of the City. Local developers
6 and landholders, including Santa Fe Land Improvement Company, responded to this need by
7 constructing rows of inexpensive cottages and selling individual parcels to laborers and their families,
8 allowing the neighborhood to develop as an informal company town. Dogpatch is also significant on
9 the local level under Criterion A, under the category of Exploration/Settlement, as the first housing
10 developed in the Potrero District. Initially developed in the early 1870s, Dogpatch became the nucleus
11 of the Potrero District that would evolve after the 1906 earthquake. Finally, Dogpatch is significant
12 under Criterion C as a moderately intact district of mostly Victorian and Edwardian-era workers'
13 dwellings constructed between 1870 and 1910. The district has several clusters and pairs of identical
14 dwellings, including a group of thirteen identical Eastlake-style cottages based on the plans of San
15 Francisco architect John Cotter Pelton, Jr. While the significance of Union Iron Works/Bethlehem
16 Steel is national in scope, the significance of Dogpatch under this criterion remains local. The period
17 of significance for the district dates from 1867, the opening of Long Bridge and the beginning of
18 construction in the neighborhood, to 1945.

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20 **Section 6. Features.**

21 The exterior architectural features of the said Historic District that should be preserved are set
22 forth in this ordinance and described and depicted in the Landmarks Preservation Advisory Board's
23 Case Report " _____ ". Said case report was adopted by the Landmarks Preservation Advisory
24 Board at its Regular Meeting of _____, 2002 by Resolution No. _____ and was adopted by
25 the Planning Commission at its Regular Meeting of _____ by Resolution. No. _____.

1 **Section 7. Additional Provisions For Certificates Of Appropriateness.**

2 The procedures, requirements, controls and standards in Sections 1005 through 1006.8 of
3 Article 10 of the Planning Code shall apply to all applications for Certificates of Appropriateness in
4 the Dogpatch Historic District (hereafter termed “Historic District” or “District”).

5 A Certificate of Appropriateness shall be required for all major alterations, as defined below, to
6 Contributory or Contributory/Altered buildings, sites, structures or objects within the Historic District.
7 Within 20 days after the Central Permit Bureau refers any permit application to the Planning
8 Department, the Zoning Administrator shall determine in writing whether the proposed alteration is a
9 major alteration or a minor alteration. The Zoning Administrator shall mail to the applicant and any
10 individuals or organizations who so request the written determination as to the category of the
11 proposed alteration. The decision of the Zoning Administrator may be appealed to the Board of Permit
12 Appeals within 10 days of the written determination in the manner provided in Section 308.2.

13 (a) An alteration is considered major if any of the following apply:

14 (1) The alteration will substantially change, obscure or destroy exterior character-defining
15 spaces, materials, features or finishes or will be inappropriate in architectural style.

16 (2) The alteration would affect all or any substantial part of a structure's exterior walls,
17 architectural appearance or exterior ornamentation; or

18 (3) The alteration results in an expansion of the building envelope; or

19 (4) The cumulative impacts of serial permits may be determined to be a major alteration. An
20 alteration, in combination with other alterations authorized within the preceding five years, shall be
21 deemed a major alteration if the cumulative impact of said alterations may be considered a major
22 alteration as described above.

23 (b) An alteration is considered minor if one or more of the criteria stated above for major
24 alterations do not apply.

1 (c) The definition of “major” notwithstanding, alterations which restore or return the exterior
2 of a building to a state reflective of the historic character of that building and of the District are
3 encouraged.

4 (d) The Planning Department in consultation with the Landmarks Preservation Advisory
5 Board, may promulgate Rules and Regulations to distinguish major alterations from minor alterations
6 for the Historic District consistent with this Section 7.

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8 **Section 8. Appeals From Planning Commission Decisions On Certificates of**
9 **Appropriateness.**

10 (a) Certificate of Appropriateness decisions of the Planning Commission may be appealed to
11 the Board of Supervisors pursuant to the provisions of Planning Code Section 1006.8.

12
13 **Section 9. Standards For Review Of Applications**

14 In addition, the following provisions shall apply to all applications for Certificates of
15 Appropriateness. In the event of any conflict or inconsistency between the provisions set forth below
16 and Article 10, those procedures, requirements, controls and standards affording stricter protection to
17 the Historic District shall prevail, except for the provisions of Section 8 of this designation ordinance.
18 The standards for review of all applications for Certificates of Appropriateness are as set forth in
19 Section 1006.7 of Article 10.

20 (a) **Character of the Historic District.** For purposes of review pursuant to said standards, the
21 character of said Historic District shall mean the architectural features and historic open space of the
22 Dogpatch Historic District referred to and described in Section 6 of this ordinance.

23 (b) **Height, Scale and Mass.** New Construction and alterations should be appropriate in
24 height, scale and mass when considered in relation to those structures immediately adjacent to and in
25 the general area of new construction or alteration. The intent of this clause is that the new construction

1 or alteration should be contained within a building envelope that slopes upward or downward with the
2 slope of the property.

3 (c) **Alterations Visible From a Public Right of Way** A Certificate of Appropriateness shall be
4 required for the following minor exterior alterations if changes are visible from a public right of way:
5 awnings, copings, retaining walls, fences, balustrades, security gates, decks and stairways. A
6 Certificate of Appropriateness shall not be required for exterior alterations if changes are not visible
7 from a public right of way.

8 (d) **Ordinary Maintenance and Repair** A Certificate of Appropriateness shall not be required
9 if the work consists of ordinary repair and maintenance so long as said repair and maintenance work
10 maintains the historical character and exterior architectural appearance of a building by using
11 appropriate structures, materials, finishes, detailing, etc.

12 (e) **New Construction.** New construction shall be compatible with the adjacent and nearby
13 contributory buildings within the Historic District, and shall conform to the following provisions:

14 (1) **Style.** New construction is encouraged, with specific regulation as follows:

15 False historicism is discouraged.

16 Porches are characteristic design features of the District, and are encouraged.

17 The height, mass and scale of new buildings should relate to the topographical contour of the
18 site, and be compatible with adjacent buildings as well as other buildings in the general area.

19 Fenestration should be proportionate and in scale with traditional patterns within the District.

20 (f) **Masonry, Brickwork and Stonework.** A Certificate of Appropriateness shall be required
21 for painting previously unpainted masonry, brick or stone exterior surfaces, for cleaning such surfaces
22 with abrasives and/or treatment of such surfaces with waterproofing chemicals. Sandblasting and
23 certain chemical treatment detrimental to masonry will not be approved.

24 (g) **Landscaping.** All applications for Certificates of Appropriateness for construction shall
25 include landscaping plans for required front yards and setbacks.

1 (h) **Public Rights-of-Way.** Unimproved sections of public rights-of-way are encouraged to be
2 made open space. It is also encouraged that changes in the existing circulation patterns not be made
3 except when such change is clearly preferable to provide for public safety.

4 (i) **Street Furniture.** Street furniture in front yards and front setbacks including but not limited
5 to lighting fixtures, trash receptacles, and benches shall require a Certificate of Appropriateness. Such
6 features shall complement the scale and character of the District. Street furniture in the public right of
7 way including, but not limited to, such features as lighting fixtures, trash receptacles, and benches is
8 encouraged to complement the scale and character of the District.

9 (j) **Demolition.** Demolition of Contributory and Contributory/Altered buildings shall be
10 subject to the maximum controls allowed under Article 10 of the Planning Code. A demolition permit
11 shall not be issued until all other required permits for new replacement construction have been
12 approved. No application for a demolition permit shall be deemed complete until all building permits
13 for the replacement structure, preferably located on the demolition site, have been approved.

14 (k) **Seismic Upgrade.** Seismic upgrades shall seek to minimize alteration of the architectural
15 appearance of a structure. When enforcing the terms of this clause and of clause 2 above during
16 seismic upgrade work, due consideration shall be given to approving modest alterations for seismic
17 upgrade purposes when enforcing the terms of these clauses, for example the replacement of relatively
18 unobtrusive building elements such as a brick foundation on a wood frame building.

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20 **Section 10. Paint Color**

21 Nothing in this legislation shall be construed to regulate paint colors within the District.
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1 **Section 11. Significance Of Individual Buildings To The Historic District.**

2 The history of each parcel within the Historic District is documented on the survey worksheets
3 (Appendix A to the Dogpatch Historical Survey). Each building is assigned a finding from the three
4 following categories:

5 **Contributory.** This category identifies buildings, which date from the Historic District's period
6 of significance and retain their historic integrity. These structures are of the highest importance in
7 maintaining the character of the Historic District. The maximum suspension period allowable under
8 Article 10 shall be imposed on applications for demolition of Contributory buildings.

9 The following buildings are deemed Contributory to the Historic District: 1060 Tennessee St.,
10 718 22nd St, 845 & 849 22nd St, 700-02 Tennessee St., 909 Tennessee St, 1300 3rd St., 700 22nd St.,
11 800-02 22nd St., 807 22nd St., 812 22nd St., 820-24 22nd St., 825-29 22nd St., 833 22nd St., 834-40
12 22nd St., 904 22nd St., 1310 3rd St., 890-900 Minnesota St., 903 Minnesota St., 905 Minnesota St., 907
13 Minnesota St., 909 Minnesota St., 911 Minnesota St., 913 Minnesota St., 914-16 Minnesota St., 913
14 Minnesota St., 918 Minnesota St., 920-22 Minnesota St., 921 Minnesota St., 923 Minnesota St., 924-26
15 Minnesota St., 930-32 Minnesota St., 934 Minnesota St., 944-46 Minnesota St., 948-50 Minnesota St.,
16 952-54 Minnesota St., 958 Minnesota St., 962-64 Minnesota St., 966-68 Minnesota St., 972-76
17 Minnesota St., 1015-17, 1019-21 Minnesota St., 1100 Tennessee St., 694 Tennessee St., 704 Tennessee
18 St., 707 18th St., 712-14-16 Tennessee St., 718-20 Tennessee St., 718-20 Tennessee St., 724-26
19 Tennessee St., 730-32 Tennessee St., 730-32 Tennessee St., 740 Tennessee St., 800-50 Tennessee St.,
20 800-50 Tennessee St., 900 Tennessee St., 997-99 Tennessee St., 1004 Tennessee St., 1008 Tennessee St.,
21 1010 Tennessee St., 1011 Tennessee St., 1012 Tennessee St., 1016-18 Tennessee St., 1036 Tennessee
22 St., 1042 Tennessee St., 1045-45 Tennessee St., 1049-51 Tennessee St., 1063-65 Tennessee St., 1067-65
23 Tennessee St., 1074-76 Tennessee St., 1077-79 Tennessee St., 1100 Tennessee St., 1101-03 Tennessee
24 St., 1104-06 Tennessee St., 1105-07 Tennessee St., 1108-10 Tennessee St., 1109-11 Tennessee St.,

1 1112-14 Tennessee St., 1116-18 Tennessee St., 1133-35 Tennessee St., 1159-63 Tennessee St., 1195
2 Tennessee St., and 1199 Tennessee St.

3 **Contributory/Altered.** This category identifies buildings which date from the Historic District's
4 period of significance but have had their historic integrity compromised by inappropriate alterations.
5 Appropriate restoration of such buildings is encouraged. The maximum suspension period allowable
6 under Article 10 shall be imposed on applications for demolition of Contributory/Altered buildings. If
7 a building in this category were to be appropriately restored, the category designation may be
8 amended to "Contributory."

9 The following buildings shall be deemed Contributory/Altered within the Historic District: 714
10 22nd St., 728-32 22nd St., 806 22nd St., 808 22nd St., 816 22nd St., 894-98 22nd St., 900-02 22nd St.,
11 915 Minnesota St., 945-47 Minnesota St., 949-51 Minnesota St., 950 Tennessee St., 1002 Tennessee St.,
12 1014 Tennessee St., 1053 Tennessee St., 1078-80 Tennessee St., 1113-15 Tennessee St., and 1139
13 Tennessee St..

14 **Noncontributory.** This category identifies buildings which postdate the Historic District's
15 period of significance. Demolition permit applications for these buildings will be processed without
16 reference to the suspension provisions of Article 10. Alterations to Noncontributory buildings would
17 require Certificate of Appropriateness review in order to minimize conflicts with the historic character
18 of the District.

19 The remaining buildings shall be deemed to be Noncontributory within the Historic District:
20 991 Tennessee St., 993 Tennessee St., 1025 Tennessee St., 1069 Tennessee St., 798 22nd St., 825
21 Minnesota St., 910-12 Minnesota St., 748-50 Tennessee St., 760 Tennessee St., 780 Tennessee St., 790
22 Tennessee St., 870-90 Tennessee St., 870-90 Tennessee St., 901 Tennessee St., 1001 Tennessee St., 1005
23 Tennessee St., 1006 Tennessee St., 1007 Tennessee St., 1009 Tennessee St., 1117-19 Tennessee St.,
24 1120-22 Tennessee St., 1121-23 Tennessee St., 1124-28 Tennessee St., 1127-29 Tennessee St., 1167-69
25 Tennessee St., 1185 Tennessee St., and 1191-93 Tennessee St.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: _____
4 Sarah Ellen Owsowitz
5 Deputy City Attorney
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