



SAN FRANCISCO PLANNING DEPARTMENT

DATE: November 29, 2012
TO: Historic Preservation Commission
FROM: Timothy Frye, Preservation Coordinator, (415) 575-6822
Shelley Caltagirone, Preservation Planner, (415) 558-6625
RE: Administrative Certificate of Appropriateness Procedures

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

REQUESTED ACTION

At the May 16, 2012 hearing, the Historic Preservation Commission ("Commission") modified the Administrative Certificate of Appropriateness (ACOA) interim procedures and extended them for an additional six months to expire November 16, 2012 (see attached Motion No. 0158). The Planning Department requests that the Commission review the existing interim procedures and discuss potential modifications to improve or expand the process.

BACKGROUND

Section 1006.2 of the San Francisco Planning Code provides that the Commission may, for properties designated individually or within a historic district under Article 10 of the Planning Code, may define certain categories of work as Minor Alterations and delegate approval of an Administrative Certificate of Appropriateness for such Minor Alterations to Planning Department ("Department") staff. At its regular hearing of May 18, 2011, the Commission reviewed and approved Motion No. 0122, which outlined a list of projects considered to be minor in scope, the ACOA application and review process, and the appeal process of these decisions to the Commission. The Commission granted this delegation as an interim procedure and then approved a six month extension of the procedures with modifications at their May 16, 2012 hearing. The Commission convened again on August 1, 2012 to discuss the delegation of work to Department staff.

STAFF ANALYSIS

Based on the Commission comments offered at the May 16, 2012 and August 1, 2012 hearings, staff has drafted revised requirements for ACOAs that would expand and clarify the work delegated to Department staff for review. The document is attached for your consideration.

PLANNING DEPARTMENT RECOMMENDATION

Planning Department staff recommends consideration of the attached draft Administrative Certificate of Appropriateness Requirements.

ATTACHMENTS

Motion No. 0158

Draft Administrative Certificate of Appropriateness Requirements



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0158

HEARING DATE MAY 16, 2012

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CA 94103-2479

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IDENTIFICATION AND DELEGATION OF SCOPES OF WORK DETERMINED TO BE MINOR ALTERATIONS PURSUANT TO CITY CHARTER SECTION 4.135 FOR APPROVAL, MODIFICATION, OR DISAPPROVAL OF AN ADMINISTRATIVE CERTIFICATE OF APPROPRIATENESS BY THE PLANNING DEPARTMENT.

1. WHEREAS, Section 4.135 of the City Charter provides that the Historic Preservation Commission ("HPC") may, for properties designated individually or within a historic district under Article 10 of the Planning Code, (1) determine alterations considered to be minor in scope; and (2) delegate the ability to approve, disapprove, or modify applications ("Administrative Certificate of Appropriateness") for minor alterations to individual landmarks or properties within historic districts to Planning Department staff; and
2. WHEREAS, the HPC, at its regular hearing of May 16, 2012, reviewed a list of projects considered to be minor in scope, the Administrative Certificate of Appropriateness application and review process by the Department, and the appeal process of these decisions to the HPC; and
3. WHEREAS, in appraising a proposal for an Administrative Certificate of Appropriateness, the Department, on behalf of the HPC, shall determine that all proposed alterations to exterior features on individual landmarks and on buildings within historic districts shall be consistent with the architectural character of the building and/or district, the Secretary of the Interior's *Standards for the Treatment of Historic Properties*, and shall comply with the following specific requirements, where applicable:
 - a. The distinguishing historic qualities, features, and character of the building should not be obscured, damaged, or destroyed.
 - b. The integrity of distinctive stylistic features or examples of skilled craftsmanship that characterize a building shall be preserved.
 - c. Distinctive architectural features which are deteriorated shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material shall match the historic material in composition, design, color, profile, texture and other visual qualities. Repair or replacement of missing architectural features shall be based on

historic, physical or pictorial evidence, if available, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- d. For any building within a historic district, all exterior alterations shall be compatible in scale and design with the District as set forth in the applicable Article 10 Appendix which describes the District.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS the following list of work to be minor in scope and approved in an Administrative Certificate of Appropriateness, and the procedures outlined in Exhibit A of this Resolution for delegation to the Department for approval, modification, or disapproval of said Administrative Certificates of Appropriateness.

1. **Ordinary Maintenance and Repair:** Work determined to be ordinary maintenance and repair which is defined as any work, the sole purpose and effect of which is to correct or repair deterioration, decay, or damage, including repair of damage caused by minor fire or other disaster.
2. **Exploratory and Investigative work:** Removal of a limited amount non-historic material to conduct investigations about the historic structure and to determine the existence of historic material. This work will be limited to no more than 5% of the total surface area on a façade.
3. **Front stairways and railings:** The replacement of non-historic materials with more appropriate compatible stairways and/or railings provided that the proposal is based on physical or documented evidence or is found to be compatible with the character-defining features of the building and/or district. This does not include replacement of porticos, porches, or other architectural components of the entry.
4. **Window Replacement:** The replacement of windows in existing openings. This does not apply to enlarging or modifying window openings on any façade.
 - a. **Primary (Visible) Facades:** Window replacement of 20% or less on primary elevations that matches the historic (extant or not) windows in terms of configuration, material, and all exterior profiles and dimensions. This scope of work qualifies provided that within the last 5 years there have not been any issued Certificates of Appropriateness that have individually or cumulatively resulted in replacement of more that 20% of the windows on the primary elevation.
 - b. **Secondary Facades:**
 - i. **Visible:** Windows must be compatible in terms of configuration and material.
 - ii. **Non-visible:** Windows must match the size of the existing openings..
5. **Signs & Awnings:** New tenant signs and awnings or a change of copy on existing signs & awnings that are compatible in terms of material, location, size, method of attachment, and method of illumination with the building and/or district. Applications for new signs and

awnings must include the removal of any abandoned conduit, outlets, attachment structure, and related equipment.

6. **Installation of Rooftop Appurtenances (excluding dormers, elevator penthouses, and cellular installations):**
 - a. Rooftop equipment that is not visible from the public right-of-way, does not result in additional of height of 8-feet; does not cover more than 20% of the total roof area, and is setback from the exterior walls of the building;
 - b. Rooftop equipment that can be easily removed in the future without disturbing historic fabric and is installed in a manner that avoids harming any historic fabric of the building; and,
 - c. Solar panel structures and skylights that have a low profile and are mounted flush with the slope of the roof and are located a minimum of 20 feet from the front façade.
7. **Rear yard decks and stairways:** The repair and replacement of rear yard decks and stairways (and associated structural materials) that are not visible from the public way.
8. **Replacement and/or modification of non-historic storefronts:** The replacement and/or modification of storefront materials that are not original elements of the building, including framing, glazing, doors, bulkheads, cladding, and ornament.
9. **Selective in-kind replacement of cladding:** The selective replacement of cladding materials at any façade when the existing cladding is damaged beyond repair and when the new cladding will match the historic cladding (extant or not) in terms of material, dimensions, details, and finish.
10. **Construction and/or modification of landscape features:** The construction of new landscape features or modification of existing landscape features when the work will not impact character-defining features of the resource as listed in the designating ordinance or identified by staff.
11. **Construction of non-visible roof decks:** The construction of roof decks, including associated railings, windscreens, and planters, that cannot be viewed from the public rights-of-way located within 150 feet of the subject property.
12. **Work described in an approved Mill's Act maintenance plan.**
13. **Removal of non-historic features:** The removal of any features that are not original features of the building and that have not gained historical significance in their own right, including but not limited to fire escapes. Please note that replacement of such features would require review by the Commission.

BE IT FURTHER RESOLVED that the Commission GRANTS this delegation as an interim procedure that will expire within six months of the date of this Motion on November 16, 2012 and may be revoked at any time within the interim period at the Commission's discretion.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on May 16, 2012.

Linda D. Avery
Commission Secretary

AYES: Chase, Damkroger, Hasz, Johns, Martinez, and Matsuda

NAYS: None

ABSENT: Wolfram

ADOPTED: May 16, 2012

EXHIBIT A

INTERIM PROCEDURES FOR WORK DETERMINED TO BE MINOR AND DELEGATED TO THE PLANNING DEPARTMENT FOR APPROVAL AS AN ADMINISTRATIVE CERTIFICATE OF APPROPRIATENESS PURSUANT TO CHARTER SECTION 4.135

Section 4.135 of the City Charter provides that the Historic Preservation Commission (“HPC”) may, for properties designated individually or within a historic district under Article 10 of the Planning Code, (1) determine alterations considered to be minor in scope; and (2) delegate the ability to approve, disapprove, or modify applications (“Administrative Certificate of Appropriateness”) for minor alterations to individual landmarks or properties within historic districts to Planning Department staff. These Administrative Certificates of Appropriateness are appealed directly to the HPC.

The scopes of work identified in Motion No. 0158 are determined to be minor and the review and approval process shall be delegated to the Department under the following interim procedures. These procedures do not include any other entitlements that may be required as part of the proposal and the HPC retains discretion to revise or rescind these procedures as necessary.

- Upon receipt of a Certificate of Appropriateness application, the Department shall review the proposed project to determine if it falls within the minor scopes of work listed in Motion No. 0158 and shall open a Certificate of Appropriateness case (an “A” case).
- If the proposed project meets the requirements set forth in HPC Motion No. 0158, for an Administrative Certificate of Appropriateness, the Department shall draft findings that explain how the proposed project complies with the requirements and will issue the Administrative Certificate of Appropriateness.
- If the project does not meet the requirements set forth in HPC Motion No. 0158 or if Department staff finds that the project needs HPC review and approval, then the Department reserves the right to bring the application to the HPC for a public hearing. All regular procedures for the public hearing will be followed.
- If no HPC is required, then the final Administrative Certificate of Appropriateness will include a photograph of the subject building and a minimum of one 11”x17” sheet that illustrates the proposed scope of work.
- The Administrative Certificate of Appropriateness will be sent to each HPC Commissioners, the Applicant, as well as any interested parties who make a request in writing to the Department.
- Any member of the public or the HPC may file a Request for Hearing within 20 calendar days of the date of issuance of the Administrative Certificate of Appropriateness. If no request is received

by the Department, then the Administrative Certificate of Appropriateness shall be deemed approved.

- To file for a Request for Hearing, the interested parties shall file a written request with the Department.
- If a Request for Hearing is received by the Department, the hearing will be scheduled and noticed for a future hearing before the HPC.
- The hearing notice shall be mailed to the property owner, project sponsor, applicant, as well as all interested parties who make a request in writing to the Department.
- At the time of the hearing, the HPC may choose to uphold, modify, or disapprove the Administrative Certificate of Appropriateness.

Administrative Certificate of Appropriateness Requirements

Window Replacement: The replacement of windows in existing openings. This does not apply to enlarging or modifying window openings on any façade or the replacement of stained, leaded, or art glass windows, or the replacement of glass curtain wall systems.

Primary & Visible Secondary Facades: Window replacement on primary elevations that closely match the historic (extant or not) windows in terms of configuration, material, and all exterior profiles and dimensions. Planning Department Preservation staff may require a site visit and review a mock-up of proposals for large-scale window replacement. For example, this scope of work qualifies for staff level approval by:

- a. Replacing historic wood double-hung windows with true divided-lite muntins that are beyond repair with new wood double-hung windows with true divided-lite muntins that closely match the historic in all exterior profiles and dimensions.
- b. Replacing non-historic windows with new windows based on documentation that illustrates the new windows closely match the configuration, material, and all exterior profiles and dimensions of the windows historically present.

Non-Visible Secondary Facades: Window replacement is limited to the size of the existing openings or a modest change in window area (up to 100 square feet). For example, this scope of work qualifies for staff level approval by:

- a. Replacing a non-visible historic or contemporary window with a new window of any configuration, material, or profile within the existing opening. While the scope of work qualifies for staff level approval, the applicant may be required to demonstrate compatibility with the unique features of the landmark building under review.
- b. Adding, expanding, or removing a modest amount of window area in these discrete locations. The applicant would be required to demonstrate compatibility with the unique features and composition of the building.

Exploratory and Investigative Work: The removal of a limited amount non-historic material to conduct investigation about the historic structure and to determine the existence of underlying historic material. This work shall be limited to no more than 5% of the total surface area on a façade and the area must be stabilized and protected after the investigation is complete. Planning Department Preservation staff may require a site visit and review the results of the investigation. For example, this scope of work qualifies for staff level approval by:

- a. Removing 5% or less of synthetic siding in a location determined by the applicant and preservation staff to determine if historic wood clapboard siding exists underneath.
- b. Removing 5% or less of non-historic stucco cladding at a ground floor commercial space to determine the historic storefront size, proportion, and configuration.

Front Stairways and Railings: The replacement of stairs and railings with new stairways and/or railings beyond repair and based on physical or documented evidence and determined to be compatible in terms of location, configuration, materials, and details with the character-defining features of the property and/or district. All historic features, such as newel posts and railings, shall be retained where extant. New railings, if needed, shall match the historic rail system in design. This does not apply to the replacement of porticos, porches, or other architectural components of the entry. For example, this scope of work qualifies for staff level approval by:

- a. Replacement of a historic wood straight run stair with closed riser and a bullnose tread with a new wood straight run stair with a closed riser and a bullnose tread. The new stair is in the same location as the historic stair and the historic railing was retained, reused, and adapted to meet current safety code requirements.
- b. Replacement of a non-historic stair and railing with a new stair and railing based on physical and documented evidence, including other similar historic properties within the landmark district that retain historic stair and railings.

Signs & Awnings: The addition of new tenant signs and awnings or a change of copy on existing signs and awnings that is compatible in terms of material, location, number, size, method of attachment, and method of illumination with the property and/or district. Applications for new signs and awnings shall include the removal of any abandoned conduit, outlets, attachment structures, and associated equipment. Signs and awnings shall not obscure or spread out over adjacent wall surfaces; and shall not include new attachments to terra cotta, cast iron, or other fragile historic architectural elements. Awnings and canopies shall use traditional shapes, forms and materials. The overall size, shape, and projection from the building shall be in proper proportion and scale to the building and be contained within the window or door opening. In most instances, the only acceptable material for awnings and canopies is canvas; exceptions will be considered if appropriate for historic reasons. Signs or lettering shall be kept to a minimum size. For example, this scope of work qualifies for staff level approval by:

- a. The installation of new signage that relates to the pedestrian scale of the street; is constructed of high-quality materials; is installed in a location that avoids damaging or obscuring character-defining details; is positioned to relate to the width of the ground-floor bays; and is illuminated through an indirect means of illumination, such a reverse halo-lit.
- b. The installation of a canvas awning with open sides and a free-hanging valance that is no wider than the width of the window opening; and is installed in a location that avoids damaging or obscuring character-defining features.

Rooftop Equipment: The installation or replacement of rooftop equipment that is not visible from the adjacent public right-of-way; that does not result in additional of height of 8-feet; that does not cover more than 20% of the total roof area; that is setback from the exterior walls of the building; that can be easily removed in the future without disturbing historic fabric; that is of a color compatible with the roof and other equipment on the roof, and is installed in a manner that avoids harming any historic fabric of the building. For example, this scope of work qualifies for staff level approval by:

- a. The installation of rooftop HVAC equipment on a flat roof that meets the above requirements and is obscured by the existing historic parapet.

Solar Panels: The installation of structures that support solar panels, regardless of visibility, provided that the installation would not require alterations to the building greater than normally required to install a solar energy system, such as an installation with a low profile, mounted parallel with the slope of the roof (if roof is sloped greater than 1/12), not visible from adjacent street sightlines if on a flat roof, set in from the perimeter walls of the building, including the building's primary façade. For example, this scope of work qualifies for staff level approval by:

- a. The installation of a solar panel system on a gable roof that is set in from the street-facing facades and is mounted flush to the slope of the roof.
- b. The installation of a solar panel system on a flat roof that is set in from the street-facing facades and is mounted on an angled structure that is within the height limit and is not visible from adjacent streets as it's appropriately setback and/or obscured by an existing historic parapet.

Skylights: The installation or replacement of skylights that are minimized from view. Skylights must be limited in number and size; mounted flush with the roof; have a low, flat profile; and a frame with a powder-coated or painted finish that matches the color of the roof material. For example, this scope of work qualifies for staff level approval by:

- a. The installation of two low, flat-profile skylights that meet the above requirements and are located on a portion of the roof that is minimally visible from the surrounding public right-of-way.

Rear Yard Decks and Stairways: The repair or replacement of decks and stairways and associated structural elements that are located in the rear yard; are not visible from the public right-of-way; do not require the construction of a firewall; and are determined to be compatible in terms of location, configuration, materials, and details with the character-defining features of the property and/or district. All historic features, such as newel posts and railings, must be retained where extant. New railings, if needed, shall match the historic rail system in design. This does not apply to the replacement of porticos, porches, or other architectural components at the rear of the property. For example, this scope of work qualifies for staff level approval by:

- a. The replacement or construction of a contemporary rear deck or stair on a building located mid-block where the rear of the property is not visible from the public right-of-way and the deck and/or stair is set in from the side property lines so as not to require the construction of a firewall.
- b. The replacement of railings and decking on a historic verandah that is beyond repair and is not visible from the public right-of-way. The replacement decking and railings are based on physical or documented evidence and are replaced in-kind with like materials and match the historic in all profiles and dimensions. All other historic veranda elements are retained, stabilized, supported, and protected during construction.

Replacement and/or modification of non-historic storefronts: The replacement and/or modification of non-historic storefront materials, or have not gained significance in their own right, including framing, glazing, doors, bulkheads, cladding, entryways, and ornament. Work is confined within the piers and lintels of the ground floor of the property and determined to be compatible in terms of proportion, scale, configuration, materials, and details with the character-defining features of the property and/or district. For example, this scope of work qualifies for staff level approval by:

- a. The removal of a non-historic storefront system and the installation of a new storefront system. The design of the new system is based on physical or documented evidence of the property and matches the historic proportion, scale, profile, and finish of a storefront system from the period of significance of the property.
- b. The removal of contemporary cladding materials that obscure the ground floor piers, lintel, and transom area of the property. All underlying historic material is cleaned, repaired, and left exposed. The transom area is re-glazed and integrated into the storefront system with a design based on the historic proportion, scale, configuration, materials, and details of the property.
- c. The removal of a portion of a non-historic storefront system to install a new ADA-compliant entrance. The new entry system is integrated into the existing storefront system and is determined to be compatible in terms of proportion, scale, configuration, materials, and details with the character-defining features of the property and/or district.

Selective in-kind replacement of cladding: The selective replacement of cladding materials at any façade when it has been demonstrated that the existing cladding is damaged beyond repair and when the new cladding will match the historic cladding (extant or not) in terms of material, composition, dimensions, profile, details, texture, and finish. Planning Department Preservation staff may require a site visit to review a mock-up of the proposed work. For example, this scope of work qualifies for staff level approval by:

- a. The selective replacement of historic clapboard siding where it has been demonstrated that the specific area to be replaced is beyond repair and the new clapboard siding matches the historic in material, profile, and finish.
- b. The selective patch of historic stucco where it has been demonstrated that the specific area to be replaced is beyond repair and the new stucco patch matches the historic in material, composition, texture, and finish.

Construction and/or modification of landscape features: The construction of new landscape features or modification of existing landscape features associated with residential properties when the work will not impact character-defining features of the property as listed in the designating ordinance or identified by Planning Department preservation staff. For example, this scope of work qualifies for staff level approval by:

- a. The removal and replacement of a non-character-defining walkway and retaining wall within the side yard of a property where it has been demonstrated that the replacement materials are compatible with the property in terms of location, size, scale, materials, composition, and texture.

Construction of non-visible roof decks: The construction of roof decks, including associated railings, windscreens, and planters, that cannot be viewed from the public rights-of-way located within 150 feet of the subject property or within the district, whichever is greater. This does not include the construction of pergolas or other structures, such as a stair penthouse for roof access. For example, this scope of work qualifies for staff level approval by:

- a. The installation of a roof deck and associated railings that meet the above requirements.

Work described in an approved Mills Act maintenance plan. Any work described in an approved Mills Act Rehabilitation/Restoration/Maintenance Plan that has been reviewed and endorsed by the Historic Preservation Commission, approved by the Board of Supervisors, and determined to meet the Secretary of the Interior's Standards. For example, this scope of work qualifies for staff level approval by:

- a. Work outlined in an approved Mills Act contract, such as the reconstruction of a missing exterior architectural feature based on physical or documented evidence and that meets the Secretary of the Interior's Standards.

Removal of non-historic features: The removal of any features that are not historic features of the building and that have not gained significance in their own right for the purpose of returning the property closer to its historic appearance. Please note that replacement of such features would require review by the Historic Preservation Commission. For example, this scope of work qualifies for staff level approval by:

- a. The removal of a non-historic and non-essential fire escape from the exterior of the property and all anchor points and penetrations are patched and repaired based on the Secretary of the Interior's Standards.
- b. The removal of asbestos or synthetic siding to expose and repair underlying wood clapboard siding. Please note that the replacement of any missing architectural features or millwork would require review by the Historic Preservation Commission.