



SAN FRANCISCO PLANNING DEPARTMENT

DATE: February 23, 2011
TO: Historic Preservation Commission
FROM: Timothy Frye, Acting Preservation Coordinator, (415) 575-6822
RE: Modification to Motion No. 0083, dated October 6, 2011, delegating Minor Permits to Alter to the Planning Department staff

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On October 6, 2010, the Historic Preservation Commission ("HPC") passed a Motion identifying scopes of work that are determined to be minor and delegated the review and approval of them to Department staff ("Minor Permits to Alter"). These procedures were passed as an interim measure, effective for one year from the date of the final motion.

Since that date, the Department has reviewed and processed a number of Minor Permits to Alter. These have been placed on each HPC calendar and agenda pursuant to the procedures adopted in Motion No. 0083. To date, there have been no formal "Request(s) for Hearing" made to the HPC nor have any of them been pulled off the calendar by an individual Commissioner.

At the HPC's request, these procedures are being brought back for review. Specifically, the HPC has requested that the process of approving Minor Permits to Alter be modified to eliminate them being placed on each HPC agenda. Instead, when the Department has completed its review and issuance of a Minor Permit to Alter, there will be no placement of these letters on the HPC agenda. The 20-day period for all work outlined in Motion 0083, with the exception of a 10-day period for signage and awnings will continue. During this period the Planning Department's decision may be appealed to the HPC. Once the appropriate period has passed, the Minor Permit to Alter may only be appealed directly to the Board of Appeals (unless subject to appeal to the Board of Supervisors).

The new procedure would be as follows. This procedure does not include any other entitlements that may be required as part of the proposal:

1. A building permit is filed for work on an individual listed building or on a building within a Conservation District.
2. The Department reviews the proposed project to determine if it meets the HPC's definition of a Major or Minor alteration as outlined in Motion No. 0083.
3. The Department opens a Permit to Alter Case (an "H" case, e.g. 2010.0269H).

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4. Permits that are determined to be Major Alterations will be brought to the HPC for review and approval.
5. Permits that are determined to be Minor Alterations will be processed internally by the Department.
6. The Department issues the Minor Alteration Permit to Alter.
7. The Minor Alteration Permit to Alter will be sent to the HPC and all interested parties on file with the Department.
8. Pursuant to Charter Section 4.135, the Minor Permit to Alter may be first appealed to the HPC for review and final decision. There is a 20-day period for delegated work, and a 10-day period for signs and awnings. If no request is made within the designated time period, the Minor Permit to Alter is final.
9. Pursuant to Charter Section 4.135, a "Permit to Alter" is appealed to the Board of Appeals or the Board of Supervisors as appropriate.
10. If no appeal is filed, the Department shall issue the associated Building Permit for the proposed scope of work outlined in the Minor Permit to Alter.

This revised process, if approved by the HPC, will supplement the procedures in Motion No. 0083, and will expire on October 6, 2011, unless extended through a new motion. All other components of the Minor Permit to Alter delegation process, including the scopes of work, remain in effect as approved on October 6, 2010.

If the HPC agrees with the modifications outlined above, then the Department requests that the HPC adopt the attached Draft Motion modifying Motion No. 0083, dated October 6, 2011.



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 00XX HEARING DATE MARCH 2, 2011

MODIFICATION TO THE PLANNING DEPARTMENT'S REVIEW AND APPROVAL PROCESS OF MINOR PERMITS TO ALTER AS DELEGATED ON OCTOBER 6, 2010 BY THE HISTORIC PRESERVATION COMMISSION PURSUANT TO CITY CHARTER SECTION 4.135 AND ARTICLE 11 OF THE PLANNING CODE.

1. WHEREAS, the Historic Preservation Commission has the ("HPC") authority under Section 4.135 of the City Charter (1) to determine if a proposed alteration ("Permit to Alter") should be considered a Major or a Minor Alteration; (2) the authority to approve, modify, or disapprove applications for permits to alter or demolish Significant or Contributory buildings or any building within a Conservation District; and, (3) the authority to delegate this function to the Planning Department ("Department") for work determined to be Minor, whose decision is appealable to the HPC; and
2. WHEREAS, the HPC, at its regular hearings of September 1, 2010, September 15, 2010, and October 6, 2010, reviewed and discussed the intent and application of the procedures outlined to identify and delegate to the Planning Department Permits to Alter that are determined to be Minor; and
3. WHEREAS, on October 6, 2010, the HPC adopted Motion No. 0083, identifying scopes of work that are 'minor alterations', the process for reviewing and approving these types of alterations, and formally delegating these functions to Department staff (collectively, "Minor Permits to Alter"), which is hereby incorporated into this Motion; and
4. WHEREAS, the HPC has been reviewing these Minor Permits to Alter on their bi-monthly Commission calendar and have not had any request to review the Department's decisions; and
5. WHEREAS, the HPC has requested that the Minor Permit to Alter process be re-reviewed; and

MOVED, that the Commission hereby REAFFIRMS the items delegated to the Department to be reviewed as a Minor Permit to Alter as outlined in Motion No. 0083, and ADOPTS the following modifications to the procedures outlined in Exhibit A of this Motion; and,

These documents, collectively Minor Permit(s) to Alter, are to be in effect as an interim procedure(s) that will expire within one year from the date of original delegation on October 6, 2010, and may be revoked at any time within the interim period at the HPC's discretion.

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I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on March 2, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 2, 2011

EXHIBIT A

MODIFICATIONS TO THE INTERIM PROCEDURES FOR WORK DETERMINED TO BE MINOR AND DELEGATED TO THE PLANNING DEPARTMENT UNDER CITY CHARTER SECTION 4.135

The scopes of work identified in Motion 0083, dated October 6, 2010, have been determined to be Minor and the review and approval processes of such work was delegated to the Department. 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.

Note: The modifications outlined below only apply to the approval process of Minor Permits to Alter. All other issues included in Motion No. 0083, dated October 6, 2010, are hereby incorporated.

The new procedure would be as follows.

1. A building permit is filed for work on an individual listed building or on a building within a Conservation District.
2. The Department reviews the proposed project to determine if it meets the HPC's definition of a Major or Minor alteration as outlined in Motion No. 0083.
3. The Department opens a Permit to Alter Case (an "H" case, e.g. 2010.0269H).
4. Permits that are determined to be Major Alterations will be brought to the HPC for review and approval.
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no request is made within the designated time period, the Minor Permit to Alter is final.

9. Pursuant to Charter Section 4.135, a "Permit to Alter" is appealed to the Board of Appeals or the Board of Supervisors as appropriate.
10. If no appeal is filed, the Department shall issue the associated Building Permit for the proposed scope of work outlined in the Minor Permit to Alter.