



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0083

HEARING DATE OCTOBER 6, 2010

IDENTIFICATION AND DELEGATION OF SCOPES OF WORK DETERMINED TO BE MINOR PURSUANT TO CITY CHARTER SECTION 4.135 AND ARTICLE 11 OF THE PLANNING CODE FOR APPROVAL, MODIFICATION, OR DISAPPROVAL BY THE PLANNING DEPARTMENT.

1. WHEREAS, Proposition J received voter approval in November 2008 and gives the Historic Preservation Commission (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 Historic Preservation Commission, 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, in appraising a proposal for a Permit to Alter determined to be a Minor, the Department on behalf of the HPC, shall determine that all proposed alterations to exterior features of Significant or Contributory (Categories I, II, IV) buildings or any (Categories I-V) buildings within a Conservation District shall be consistent with the architectural character of the building and/or district, the Secretary of the Interior's Standards, and shall comply with the following specific requirements, where applicable:
 - a. The distinguishing historic qualities, features, and character of the building may 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,

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rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- d. Contemporary design of alterations is permitted, provided that such alterations do not destroy significant exterior architectural materials, including historic storefronts, and that such design is compatible with the size, scale, color, profile, texture, material and character of the building and its surroundings.
- e. Specifically for any building within a Conservation District, all exterior alterations shall be compatible in scale and design with the District as set forth in Sections 6 and 7 of the Appendix which describes the District.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS the following list of scopes of work determined to be Minor Alteration Permits to Alter and the procedures outlined in Exhibit A of this Motion for delegation to the Department for approval, modification, or disapproval

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. **Window Replacement on Secondary Elevations or Window Replacement of 20% or less of the total Window Area on a Primary Façade:**
 - a. All window replacement on secondary elevations that is in-kind and the replacement windows closely match the historic (extant or not) windows in terms of configuration, material, and all exterior profiles and dimensions.
 - b. Replacement of 20% or less of the total window area on the primary façade provided that all replacement windows closely match the historic windows (extant or not) in terms of configuration, material, and all exterior profiles and dimensions.
3. **Installation of Rooftop Equipment:**
 - a. Rooftop equipment, excluding elevator overrides, that does not result in an addition of height above one story, or 12-feet; does not cover more than 75% of the total roof area; and is setback from the exterior walls of the building and in a location that is not visible or is minimally visible (less than 50% of one story) from the surrounding public rights-of-way;
 - 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. All proposed ducts, pipes, and cables are located within the building and are not installed or anchored to an exterior elevation visible from a public right-of-way.
4. **Signs & Awnings:** New tenant signs and awnings or a change of copy on existing signs & awnings that meet the Department's *Sign and Awning Standards*, and includes the removal of any abandoned conduit, outlets, attachment structure, and related equipment, as adopted by the HPC.

5. **Storefront Replacement:** Storefront replacement, specifically work confined to the ground-floor display areas within the architectural frame (piers and lintels) of the building that meet the Department's *Storefront Replacement Standards* as adopted by the HPC.

BE IT FURTHER RESOLVED that the Commission GRANTS this delegation based on the general intent and tone of the Department's Draft *Sign, Awning, and Storefront Replacement Standards*. These final documents shall be presented to the HPC for review and approval within the one year interim period as they are revised and expanded to address property types in all six existing Conservation Districts and Article 11-rated buildings within the C-3 District.

BE IT FURTHER RESOLVED that the Commission GRANTS this delegation as an interim procedure that will expire within one year of the date of this Motion or 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 October 6, 2010.

Linda D. Avery
Commission Secretary

AYES: C. CHASE, C. DAMKROGER, A. MARTINEZ, K. HASZ, A. WOLFRAM

NAYS:

ABSENT: D. MATSUDA, J. BUCKLEY

ADOPTED: OCTOBER 6, 2010

EXHIBIT A

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

Under the City Charter, the HPC shall approve all exterior work for Category I-IV buildings and any building located within a Conservation District, regardless of its rating, and may delegate this function to the Department for work determined to be Minor, whose decision is appealable to the HPC. The scopes of work identified in Motion 0083 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.

Category I-IV & Category V and Unrated Buildings within a Conservation District

- Upon receipt of a building permit application, the Department shall review the proposed project to determine if it meets the HPC's definition of a Major or Minor alteration and shall open a Permit to Alter Case (an "H" case).
- If the proposed project meets the requirements set forth in HPC Motion 0083 for a Minor Permit to Alter, the Department shall draft findings that explain how the proposed project complies with the requirements and will issue the Minor Permit to Alter.
- The Minor Permit to Alter will include a photograph of the subject building and a minimum of one 11"x17" sheet that illustrates the proposed scope of work.
- The Minor Permit to Alter will be sent to all HPC Commissioners, Applicant, as well as all interested parties who make a request in writing to the Department.
- During the interim period the Minor Permit to Alter will also be included in the HPC's correspondence folder and Minor Permits to Alter, including the address and APN, will be included as an item under "Matters of the Commission" on the HPC's agenda for discussion at the HPC's discretion.
- Any member of the public or the HPC may file for a "Request for Hearing" within 20 calendar days or 10 calendar days for signs and awnings of the date of issuance of the Minor Permit to Alter. If no request

is received by the Department, then the permit will be approved after the Request for Hearing period has expired.

- To file for a Request for Hearing, the interested parties shall file a “Permit to Alter Request for Hearing Application” 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.
- All other notification will follow the standard hearing noticing requirements under Article 11.
- At the time of the hearing, the HPC may choose to uphold, modify, or disapprove the Minor Permit to Alter.