



SAN FRANCISCO PLANNING DEPARTMENT

HEARING DATE: October 3, 2018

TO: Historic Preservation Commission

FROM: Pilar LaValley
Senior Preservation Planner, 415-575-9084

RE: Delegation of Minor Scopes of Work to the Planning
Department pursuant to Articles 10 and 11 of the
Planning Code

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BACKGROUND/PREVIOUS ACTIONS

Planning Code Sections 1006.2(a) and 1111.1(a) authorizes the Historic Preservation Commission ("HPC") to determine if a proposed alterations to Article 10 and Article 11 properties (known either as a "Certificate of Appropriateness" or a "Permit to Alter") is a 'Major' or a 'Minor' Alteration and to delegate the approval, disapproval, or modification of certain types of work to the Planning Department ("Department"), whose decision is appealable to the HPC.

The Department is requesting that the HPC approve the attached Motion extending the delegation of Minor scopes of work another two years. The HPC's delegation of administrative review to the Department has enabled applications for minor scopes of work to be reviewed and approved in a timely manner. Administrative review allows for maximum flexibility while ensuring that all proposed work meets the requirements outlined by the HPC, specifically the Secretary of the Interior's Treatment for Historic Properties and any additional requirements outlined in the Article 10 or Article 11 Appendices.

The Department believes that the delegation of minor scopes of work is successful. To date, there has been three 'Requests for Hearing' to the HPC with only one of the three occurring in the past two years. The HPC upheld the Department's action on two of the entitlements, affirming the quality of the review and approval of work that the Department conducted. On the third, the HPC agreed to hear the Certificate of Appropriateness, but the appeal of the Administrative Certificate of Appropriateness was withdrawn prior to the HPC hearing.

Minor scopes of work described in the attached motion have been amended from the previous delegation. Several scopes of work were removed to reflect recent legislative updates to Articles 10 and 11 that exempt certain work from the requirements for a Certificate of Appropriateness or Permit to Alter provided that work is in conformance with the Secretary of the Interior's Standards. Scopes of work that were removed from the delegation include:

- Installation or replacement of non-visible rooftop appurtenances.
- Installation or replacement of tenant signs and awnings (signs only on Article 11 properties).
- Installation or replacement of low-profile skylights for Article 10 buildings.

The Department has also amended and added to the scopes of work that it considers minor and appropriate for delegation. These additional scopes of work, which are described in detail in the attached draft motion, include:

- Replacement of doors on primary and secondary façades.
- In-kind replacement or repair of roofing on visible, sloped roof forms.
- Replacement of garage doors in existing openings.
- Construction of code-complying fences and ancillary structures within the rear yard.
- Restoration of façade(s) based on documentary and/or physical evidence.
- Enclosing an open area under a cantilevered room or deck.
- Infill of existing garage door openings for Accessory Dwelling Unit (ADU) conversions.

The HPC will continue to review Certificates of Appropriateness and Permits to Alter for projects that include new construction, major alteration, vertical and horizontal additions, or where proposed work exceeds or is inconsistent with the minor scopes outlined in the delegation Motion.

The Department is not recommending any changes in process for these administrative reviews.

PLANNING DEPARTMENT RECOMMENDATION

Approve as outlined in the attached draft Motion.

ATTACHMENTS:

Draft Motion

HPC Motion 0289



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Draft Motion XXX

HEARING DATE: OCTOBER 3, 2018

IDENTIFICATION AND DELEGATION OF SCOPES OF WORK DETERMINED TO BE MINOR BY THE HISTORIC PRESERVATION COMMISSION PURSUANT TO SECTIONS 1006.2 AND 1111.1 OF THE PLANNING CODE FOR APPROVAL, MODIFICATION, OR DISAPPROVAL TO THE PLANNING DEPARTMENT.

WHEREAS, Planning Code Section 1006.2(a) provides that the Historic Preservation Commission ("HPC") may, for properties designation individually or within a landmark district under Article 10 of the Planning Code, (1) define certain categories of work as minor alteration; and (2) delegate the review and approval of such work to the Planning Department ("Department") (hereinafter "Administrative Certificate of Appropriateness"), whose decision is appealable to the HPC pursuant to Section 1006.2(b); and

WHEREAS, Planning Code Section 1111.1(a) gives the HPC the authority to (1) determine if a proposed alteration ("Permit to Alter") should be considered a Major or a Minor Alteration; (2) approve, modify, or disapprove applications for permits to alter or demolish Significant or Contributory buildings or any building within a Conservation District; and, (3) delegate this function to the Planning Department ("Department") for work determined to be Minor (hereinafter "Minor Permit to Alter"), whose decision is appealable to the HPC pursuant to Section 1111.1(b); and

WHEREAS, Sections 1005 and 1110 of the Planning Code specify that a Certificate of Appropriateness or Permit to Alter is not required when the application is for a permit to do ordinary maintenance and repairs only, meaning any work for the sole purpose and effect to correct deterioration, decay or damage of existing materials; and

WHEREAS, the HPC, at its regular hearing of October 3, 2018, reviewed the Planning Department's processes and applications under the authority previously granted to it by the HPC under Motions Nos. 0181, 0212, 0241 and 0289; and

WHEREAS, in appraising a proposal for an Administrative Certificate of Appropriateness or a Minor Permit to Alter, the Department, on behalf of the HPC, shall determine that all proposed alterations to character-defining features on properties subject to Articles 10 and/or 11 of the Planning Code shall be consistent with the character of the property and/or district, the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, as well as any guidelines, local interpretations, bulletins, or other policies, where applicable; and

SO MOVED, that the Commission hereby ADOPTS the following list of scopes of work determined to be Minor, and the procedures outlined in the Administrative Certificate of Appropriateness and the Minor Permit to Alter Informational and Supplemental Application Packets, for delegation to the Department for approval, modification, or disapproval for two years from the date of this Motion. Specifically, the HPC adopts the following as minor scopes of work:

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1. **Exploratory and investigative work:** To assess for underlying historic materials: The removal of a limited amount of non- historic material to conduct investigation 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. Adjacent historic surfaces must be protected during exploratory and investigative work. To assess the structure where historic fabric is extant: The removal of a limited amount of historic fabric to conduct investigation to determine the existing conditions of the building including ascertaining the location and condition of structural elements. This scope of work qualifies for staff level approval provided that:
 - a. It is demonstrated that a non-destructive evaluation (NDE) approach has been determined insufficient, exploratory demolition is required, and that there is no alternative location where such investigation can be undertaken.
 - b. Provision of an investigation plan that includes the reason for the investigative work, what NDE techniques have been considered, and why its use is not appropriate.
 - c. Provision of scaled drawings showing the area to be removed including plans, elevations, and details including the wall assembly where the exploratory work will be undertaken.
 - d. Provision that any removal will be in whole rather than in partial to prevent damage to historic fabric.
 - e. For example, for a brick wall removal should follow the mortar joints around brick units instead of saw-cutting brick units in half.
 - f. Provision of a protection plan for surrounding historic fabric during exploratory and investigative work including protection and stabilization assemblies with materials called out clearly.
 - g. Provision of an appropriate salvage and storage plan for any historic fabric or material proposed to be removed during exploratory and investigative work.
 - h. Provision of a post-investigation treatment plan including patching, repairing, finishing historic fabric and materials to match existing where exploratory and investigative work has been conducted.
2. **Door and Window replacement:** The replacement of doors and windows in existing openings. This does not apply to the replacement of stained, leaded, curved glass, or art glass windows, or doors with these types of glazed features, or the replacement of glass curtain wall systems.
 - a. *Door or Window replacement on primary and visible secondary facades:* Door replacement on primary façades provided that the proposed door matches the historic door (extant or not) in terms of opening size, door type, glazing, material, and all

exterior profiles, dimensions and detailing and is compatible with the character of the building and/or district. 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. This scope of work qualifies for staff level approval provided that:

- i. Where historic windows are proposed to be replaced, provision of a Window Condition Assessment report that documents the deteriorated beyond repair condition of windows. This report shall be prepared by a qualified consultant.
 - ii. Where historic wood windows with true divided-lite muntins are demonstrated to be deteriorated beyond repair, replacement shall be with new wood windows of the same type and operation with true divided-lite muntins that closely match the historic in all exterior profiles and dimensions. Detailed and dimensioned architectural plans will be provided to document existing and proposed window sash.
 - iii. 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.
 - iv. Replacing non-historic doors with new doors that are either based on documentation that illustrates that new doors closely match the materials and configuration of doors historically present or are compatible in materials and design with the character of the building.
- b. *Door and Window replacement on non-visible secondary facades:* Door and window replacement is limited to the size of the existing openings. Installation of louvers for mechanical vents may also be undertaken. A modest change in door or window area of up to 100 square feet may be approved administratively for any building except for individually designated Article 10 Landmarks. For example, this scope of work qualifies for staff level approval by:
- i. Replacing a non-visible historic or contemporary door or window with a new door or 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.
 - ii. Adding, expanding, or removing a modest amount of door or window area in these discrete locations, provided the subject building is not an individual Article 10 Landmark. The applicant would be required to demonstrate compatibility with the unique features and composition of the building.

- iii. Louvers for mechanical venting that do not change the existing opening and is finished with the same finish as the surrounding door or window frame.
3. **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.
4. **Construction of a non-visible roof deck on a flat roof:** The construction of pergolas or other structures, such as a stair or elevator penthouse for roof access, does not qualify under this scope of work. The construction of roof decks, including associated railings, windscreens, and planters, provided that:
- a. The deck and associated features cannot be viewed over street-facing elevations;
 - b. Existing access to the roof in compliance with the Building Code must be demonstrated.
5. **Awnings on Article 11 buildings:** New tenant awnings that meet the Department's Design Standards for Storefronts in Article 11 Conservation Districts and/or is found compatible with the character-defining features of the building and/or district in terms of material, location, number, size, method of attachment, method of replacement, and method of illumination with the property and/or district, provided that:
- a. Applications for new awning shall include the removal of any abandoned conduit, outlets, attachment structures, and associated equipment;
 - b. 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 and will be installed in a location that avoids damaging or obscuring character-defining features;

- c. Awnings and canopies shall use traditional shapes, forms, and materials, be no wider than the width of the window openings, and attach to non-historic storefront systems or undecorated wall surfaces, preferably at the window or entry returns;
 - d. Retractable-type awnings will have angled forms, open sides, and a free-hanging valance. This type of awning or canopy structure will be covered with canvas (Sunbrella or equivalent);
 - e. Signs or lettering on awnings shall be kept to a minimum size (separate permits are required for awning structures). On retractable-type awnings, signs may only be placed on the face of the valance. On flat, metal awnings or canopies, signs shall have integral, non-visible conduit, indirect illumination, and will not damage or obscure character-defining features;
 - f. The installation of new awnings shall relate to the pedestrian scale of the street; are constructed of high-quality materials; are installed in location that avoids damaging or obscuring character-defining details; and, are positioned to relate to the width of the ground- floor bays.
6. **Replacement and/or modification of non-historic storefronts:** The replacement and/or modification of non-historic (or that have not gained significance in their own right) storefront materials, including framing, glazing, doors, bulkheads, cladding, entryways, and ornament. Work shall be confined within the piers and lintels of the ground floor of the property and determined to meet the Department's Design Standards for Storefronts for Article 11 Conservation Districts and/or is found compatible with the character-defining features as outlined in the Article 10 designating Ordinance in terms of proportion, scale, configuration, materials, and details with the character-defining features of the property and/or district. This scope of work qualifies for staff level approval provided that:
- a. The design of the new storefront 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. Contemporary cladding materials that obscure the ground floor piers, lintel, and transom area of the building will be removed. All underlying historic material will be cleaned, repaired, and left exposed. The transom area will be 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. ADA-compliant entry systems meeting all Building Code requirements will be integrated into the storefront system and will be compatible in terms of proportion, scale, configuration, materials, and details with the character-defining features of the property and/or district.
7. **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 minimum spacing from the roof surface and mounted parallel with the slope of the roof (if roof is slope 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. Support structures should have 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 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.
8. **Skylights on Article 11 properties:** The installation or replacement of skylights that are deteriorated beyond repair so long as new skylights are minimized from view. For example, this scope of work qualifies for staff level approval by:
 - a. New skylights must be limited in number and size; mounted low to the roof with a curb as low as possible; and have a frame with a powder-coated or painted finish that matches the color of the roof material.
9. **Rear yard decks and stairways outside of the C-3 zoning districts:** 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.

10. **Selective in-kind replacement of cladding outside of the C-3 zoning districts:** The selective replacement of cladding materials at any façade may be approved administratively for any building, 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 is has been de monstrated that the specific area to be replaced is beyond repair and the new stucco patch matches the historic in material, composition, texture, and finish.
11. **In-kind replacement and/or repair of roofing material on visible, sloped roof forms:** On visible, sloped roof forms, the in-kind replacement of non-historic roofing materials and the repair and/or replacement of clay tile, or similar, roof materials may be approved administratively provided that:
 - a. In-kind replacement of non-historic roofing materials, such as asphalt shingles, and underlayment would not change the roof character, form, material, or structure and would be compatible with the character of the building and/or district.
 - b. Clay tile, or similar, roofs and underlayment are repaired by carefully removing clay tiles, replacing underlayment, reinstalling salvaged tiles, and in-kind replacement of tiles that are beyond repair. Replacement tiles shall match existing in shape, dimensions, color, and finish. The work would not change the roof character, form, material, or structure and would be compatible with the character of the building and/or district.
 - c. Full replacement of clay tile, or similar, roofing is generally not appropriate unless existing material is determined through a condition assessment conducted by a qualified preservation architect to be deteriorated beyond repair. If beyond repair, in-kind replacement of clay tiles, or similar, roofing shall match existing in shape, dimensions, color, and finish. The work would not change the roof character, form, material, or structure and would be compatible with the character of the building and/or district.
 - d. Planning Department Preservation staff may require a site visit to review a mock- up of the proposed work.
12. **Replacement of garage door(s) in existing openings.** The replacement of garage doors may be approved administratively, provided that:

- a. New garage door(s) shall be installed in existing opening(s) and will be compatible in terms of material, configuration, and fenestration with the character of the building and/or district.
13. **Construction and/or modification of landscape features outside of the C-3 zoning districts:**
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.
 - b. Construction or replacement of rear or side yard fences provided that the fence is not directly adjacent to a public right-of-way, complies with the Planning Code, and does not attach to the historic building or other character-defining features of the landmark.
 - c. Replacement of fences in front yard based on photographic or physical documentation, provided that the fence complies with the Planning Code and compatible with the property in terms of location, size, scale, materials, composition, and finish. The fence and its structural supports should not attach to the historic building.
 - d. Construction of ancillary structure within the rear yard that is not more than eight feet in height above grade and covers no more than 100 square feet of land regardless of visibility from public rights-of-way.
14. **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. Examples include but are not limited to fire escapes or signage and associated conduit. The replacement of such features does not qualify under this scope of work. This scope of work qualifies for staff level approval provided that:
- a. All anchor points and penetrations where non-historic features are removed will be patched and repaired based on the Secretary of the Interior's Standards.
15. **Restoration of façade(s).** Restoration of façade(s) (including, but not limited to porticos, porches, cornices, plaster work, wood siding, tympanum, roofline, and eaves) may be approved administratively for any building except for individually designated Article 10 Landmarks. Work shall be based on physical evidence and/or historic documentation and follow the guidelines outlined in the Department's *How to Restore Your Façade*. Physical evidence should include shadow lines depicting location of removed ornament, pieces of retained ornament or cladding materials, as well as examples from surrounding buildings of a

similar age, architectural style, and with similar ornamental features. Proposed work must be depicted in detailed elevation drawings. For example, this scope of work qualifies for staff level approval by:

- a. Removal of asphalt siding and repair of extant original wood siding on visible façades.
 - b. Replacement of previously removed ornament or trim based on physical evidence, such as shadow lines on original siding, or on historic photograph(s). Replacement ornament should be constructed of durable and compatible materials. Substitute materials, such as foam or composites, are not appropriate.
16. **Security Measures:** Installation or replacement of metal security doors, window grilles, security gates, exterior lighting, or security cameras provided that the installation of these measures meet all other requirements of the Planning Code and are compatible in terms of proportion, scale, configuration, materials, details, and finish with the character-defining features of the property and/or district; and are installed in a reversible manner that avoids obscuring or damaging exterior character-defining features of the building. Planning Department Preservation staff may require a site visit to review a mock-up of the proposed work. This scope of work qualifies for staff level approval provided that:
 - a. Retractable security gates or grilles and related housing shall be installed in a location obscured from the public right-of-way when in the open position.
 - b. Security measures are located in a discreet location so to minimize visibility during daylight and/or business operating hours.
17. **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.
18. **Enclosing an open area under a cantilevered room, room built on columns or under decks** (except for decks that are supported by columns or walls other than the building wall to which they are attached and are multi-level or more than 10 feet above grade). Construction of such an addition may be administratively approved provided that the work is not visible from a public right-of-way, complies with the Planning Code, and is exempt from Section 311 notification per Zoning Administrator's Bulletin No. 4: *Public Notification for Building Permits in Residential and Neighborhood Commercial Districts*. This scope of work may be approved administratively for any building except for individually designated Article 10 Landmarks. For example, this scope of work qualifies for staff level approval by:
 - a. Enclosing the open area under a cantilevered room or room built on columns or under decks (except for decks that are supported by columns or walls other than the building wall to which they are attached and are multi-level or more than 10 feet above grade) as part of construction for new Accessory Dwelling Unit(s).

19. Infill of garage door openings for Accessory Dwelling Units (ADUs). Where infill of existing garage door openings (historic or not) is proposed for conversion of interior space to Accessory Dwelling Unit(s) (ADU(s)), this alteration may be approved administratively provided that the following guidelines are met:

- a. Where a garage opening original to the building will be infilled, it should:
 - i. Incorporate design details, such as a reveal or simple trim detail, or similar, to reference the original configuration of the opening; and,
 - ii. Be clad in a manner that is consistent with the character of the building.
- b. Where a garage opening that is not original to the building will be infilled, it should:
 - i. Be restored to match the surrounding material and original configuration of the base of the building (for example, if the building originally featured an angled, projecting bay that extended to grade, this feature should be restored when garage is removed).
- c. Where window openings are needed for the new ADU(s), they should:
 - i. Be located within the garage door opening to be infilled; and,
 - ii. Have simple design and details and be proportionally smaller than primary windows on upper floors [size of windows should be minimum required to meet Planning and Building Code requirements]; and,
 - iii. Match materials of historic windows (extant or not) on upper floors of building; and,
 - iv. Be in a configuration that is compatible with historic windows (extant or not) in upper floors of building while meeting egress requirements of the Building Code.
- d. Where door openings are necessary for the new ADU(s), they should:
 - i. Be located on secondary elevations or incorporated into existing front stair structure, if feasible. If such locations are not feasible, then the new door opening(s) should be incorporated into existing openings (pedestrian or garage) and should be kept to the minimum number and size required by Code; and,
 - ii. Minimize recesses to depth required by Code; and,
 - iii. Have a simple, compatible design.
- e. Front yard area should be restored with soft and hardscaping that is compatible with the character of the building and/or district.

- f. Relocated gas/utility cabinets should be placed in a location and have a design that is as minimally visible as possible.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on October 3, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0289

HEARING DATE: OCTOBER 5, 2016

IDENTIFICATION AND DELEGATION OF SCOPES OF WORK DETERMINED TO BE MINOR BY THE HISTORIC PRESERVATION COMMISSION PURSUANT TO SECTIONS 1006.2 AND 1111.1 OF THE PLANNING CODE FOR APPROVAL, MODIFICATION, OR DISAPPROVAL TO THE PLANNING DEPARTMENT.

WHEREAS, Planning Code Section 1006.2(a) provides that the Historic Preservation Commission ("HPC") may, for properties designation individually or within a landmark district under Article 10 of the Planning Code, (1) define certain categories of work as minor alteration; and (2) delegate the review and approval of such work to the Planning Department ("Department") (hereinafter "Administrative Certificate of Appropriateness"), whose decision is appealable to the HPC pursuant to Section 1006.2(b); and

WHEREAS, Planning Code Section 1111.1(a) gives the HPC the authority to (1) determine if a proposed alteration ("Permit to Alter") should be considered a Major or a Minor Alteration; (2) approve, modify, or disapprove applications for permits to alter or demolish Significant or Contributory buildings or any building within a Conservation District; and, (3) delegate this function to the Planning Department ("Department") for work determined to be Minor (hereinafter "Minor Permit to Alter"), whose decision is appealable to the HPC pursuant to Section 1111.1(b); and

WHEREAS, Sections 1005 and 1110 of the Planning Code specify that a Certificate of Appropriateness or Permit to Alter is not required when the application is for a permit to do ordinary maintenance and repairs only, meaning any work for the sole purpose and effect to correct deterioration, decay or damage of existing materials.

WHEREAS, the HPC, at its regular hearing of October 5, 2016, reviewed the Planning Department's processes and applications under the authority previously granted to it by the HPC under Motions Nos. 0181, 0212 and 0241; and

WHEREAS, in appraising a proposal for an Administrative Certificate of Appropriateness or a Minor Permit to Alter, the Department, on behalf of the HPC, shall determine that all proposed alterations to character-defining features on properties subject to Articles 10 and/or 11 of the Planning Code shall be consistent with the character of the property and/or district, the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, as well as any guidelines, local interpretations, bulletins, or other policies, where applicable.

SO MOVED, that the Commission hereby delegates to the Department for approval, modification, or disapproval for two years, which may be revoked at any time at the Commission's discretion, from the date of this Motion and ADOPTS the following list of scopes of work determined to be Minor and the procedures outlined in Exhibit A of this Motion:

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1. **Exploratory and investigative work:** To assess for underlying historic materials: The removal of a limited amount of non- historic material to conduct investigation 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. Adjacent historic surfaces must be protected during exploratory and investigative work. To assess the structure where historic fabric is extant: The removal of a limited amount of historic fabric to conduct investigation to determine the existing conditions of the building including ascertaining the location and condition of structural elements. This scope of work qualifies for staff level approval provided that:
 - a. It is demonstrated that a non-destructive evaluation (NDE) approach has been determined insufficient, exploratory demolition is required, and that there is no alternative location where such investigation can be undertaken.
 - b. Provision of an investigation plan that includes the reason for the investigative work, what NDE techniques have been considered, and why its use is not appropriate.
 - c. Provision of scaled drawings showing the area to be removed including plans, elevations, and details including the wall assembly where the exploratory work will be undertaken.
 - d. Provision that any removal will be in whole rather than in partial to prevent damage to historic fabric.
 - e. For example, for a brick wall removal should follow the mortar joints around brick units instead of saw-cutting brick units in half.
 - f. Provision of a protection plan for surrounding historic fabric during exploratory and investigative work including protection and stabilization assemblies with materials called out clearly.
 - g. Provision of an appropriate salvage and storage plan for any historic fabric or material proposed to be removed during exploratory and investigative work.
 - h. Provision of a post-investigation treatment plan including patching, repairing, finishing historic fabric and materials to match existing where exploratory and investigative work has been conducted.
2. **Window replacement:** The replacement of windows in existing openings. This does not apply to the replacement of stained, leaded, curved glass, or art glass windows, or the replacement of glass curtain wall systems.
 - a. *Window replacement on primary and 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. This scope of work qualifies for staff level approval provided that:

- i. Where historic windows are proposed to be replaced, provision of a Window Condition Assessment report that documents the deteriorated beyond repair condition of windows. This report shall be prepared by a qualified consultant.
 - ii. Where historic wood windows with true divided-lite muntins are demonstrated to be deteriorated beyond repair, replacement shall be with new wood windows of the same type and operation with true divided-lite muntins that closely match the historic in all exterior profiles and dimensions. Detailed and dimensioned architectural plans will be provided to document existing and proposed window sash.
 - iii. 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.
- b. *Window replacement on non-visible secondary facades:* Window replacement is limited to the size of the existing openings. Installation of louvers for mechanical vents may also be undertaken. A modest change in window area of up to 100 square feet may be approved administratively for any building except for individually designated Article 10 Landmarks. For example, this scope of work qualifies for staff level approval by:
- i. 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.
 - ii. Adding, expanding, or removing a modest amount of window area in these discrete locations, provided the subject building is not an individual Article 10 Landmark. The applicant would be required to demonstrate compatibility with the unique features and composition of the building.
 - iii. Louvers for mechanical venting that do not change the existing opening and is finished with the same finish as the surrounding window frame.
3. **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.
4. **Rooftop equipment, elevator overrides and stair penthouses:** The installation or replacement of stair penthouses, elevator overrides, and rooftop equipment, such as mechanical systems or wireless telecommunications equipment, provided that:
 - a. The stair penthouse or elevator override is determined to be not visible from the surrounding public-rights-of-way and is no more than the minimum dimensions necessary as permitted by the Building Code.
 - b. The cumulative coverage of all existing and proposed rooftop equipment does not cover more than 75% of the total roof area; is setback from the exterior walls; and, is not visible or is minimally visible from the surrounding public rights-of-way;
 - c. 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,
 - d. 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.
 - e. Wireless equipment that is not visible or is minimally visible from the surrounding public rights-of-way and that does not attach directly to any historic material.
5. **Rooftop equipment outside of the C-3 zoning districts:** The installation or replacement of rooftop equipment that is not visible from the adjacent public right-of-way; that does not result in additional 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.

6. **Construction of a non-visible roof deck on a flat roof:** The construction of pergolas or other structures, such as a stair or elevator penthouse for roof access, does not qualify under this scope of work. The construction of roof decks, including associated railings, windscreens, and planters, provided that:
 - a. The deck and associated features cannot be viewed over street-facing elevations;
 - b. Existing access to the roof in compliance with the Building Code must be demonstrated.
7. **Signs and awnings:** New tenant signs and awnings or a change of copy on existing signs and awnings that meet the Department's Design Standards for Storefronts in Article 11 Conservation Districts, any applicable Special Sign Districts identified within the Planning Code, and/or is found compatible with the character-defining features as outlined in the Article 10 designating Ordinance in terms of material, location, number, size, method of attachment, and method of illumination with the property and/or district, provided that:
 - a. Applications for new signs and awning shall include the removal of any abandoned conduit, outlets, attachment structures, and associated equipment;
 - b. 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 and is installed in a location that avoids damaging or obscuring character-defining features.
 - c. Awnings and canopies shall use traditional shapes, forms, and materials, be no wider than the width of the window openings, and will have open sides and a free-hanging valance.
 - d. The awning or canopy structure is covered with canvas (Sunbrella or equivalent).
 - e. Signs or lettering shall be kept to a minimum size.
 - f. 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 indirect means of illumination, such as reverse halo-lit.
8. **Replacement and/or modification of non-historic storefronts:** The replacement and/or modification of non-historic (or that have not gained significance in their own right) storefront materials, including framing, glazing, doors, bulkheads, cladding, entryways, and ornament. Work shall be confined within the piers and lintels of the ground floor of the property and determined to meet the Department's Design Standards for Storefronts for Article 11 Conservation Districts and/or is found compatible with the character-defining features as outlined in the Article 10 designating Ordinance in terms of proportion, scale, configuration,

materials, and details with the character-defining features of the property and/or district. This scope of work qualifies for staff level approval provided that:

- a. The design of the new storefront 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. Contemporary cladding materials that obscure the ground floor piers, lintel, and transom area of the building will be removed. All underlying historic material will be cleaned, repaired, and left exposed. The transom area will be 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. ADA-compliant entry systems meeting all Building Code requirements will be integrated into the storefront system and will be compatible in terms of proportion, scale, configuration, materials, and details with the character-defining features of the property and/or district.
9. **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 minimum spacing from the roof surface and mounted parallel with the slope of the roof (if roof is slope 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. Support structures should have 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 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.
10. **Skylights:** The installation or replacement of skylights that are deteriorated beyond repair so long as new skylights are minimized from view. New skylights must be limited in number and size; mounted low to the roof with a curb as low as possible; and have a frame with a powder-coated or painted finish that matches the color of the roof material.
11. **Rear yard decks and stairways outside of the C-3 zoning districts:** 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.
12. **Selective in-kind replacement of cladding outside of the C-3 zoning districts:** The selective replacement of cladding materials at any façade may be approved administratively for any building, 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.
13. **Construction and/or modification of landscape features outside of the C-3 zoning districts:** 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.
14. **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 examples include but are not limited to

fire escapes or signage and associated conduit. The replacement of such features does not qualify under this scope of work. This scope of work qualifies for staff level approval provided that:

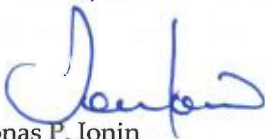
- a. All anchor points and penetrations where non-historic features are removed will be patched and repaired based on the Secretary of the Interior's Standards.

15. **Security Measures:** Installation or replacement of metal security doors, window grilles, security gates, exterior lighting, or security cameras provided that the installation of these measures meet all other requirements of the Planning Code and are compatible in terms of proportion, scale, configuration, materials, details, and finish with the character-defining features of the property and/or district; and are installed in a reversible manner that avoids obscuring or damaging exterior character-defining features of the building. Planning Department Preservation staff may require a site visit to review a mock-up of the proposed work. This scope of work qualifies for staff level approval provided that:

- a. Retractable security gates or grilles and related housing shall be installed in a location obscured from the public right-of-way when in the open position.
- b. Security measures are located in a discreet location so to minimize visibility during daylight and/or business operating hours.

16. **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.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on October 5, 2016.



Jonas P. Ionin
Commission Secretary

AYES: Hyland, Hasz, Johnck, Johns, Matsuda, Pearlman, Wolfram

NAYS: None

ABSENT: None

ADOPTED: October 5, 2016