



SAN FRANCISCO PLANNING DEPARTMENT

DATE: February 7, 2011
TO: Members of the Eastern Neighborhoods Citizens Advisory Committee
FROM: Charles Chase, President, Historic Preservation Commission
John Rahaim, Planning Director
RE: Eastern Neighborhoods Citizens Advisory Committee
Resolution regarding the Department's Historic Resource Surveys

A handwritten signature in black ink, appearing to read "John Rahaim", is written over the printed name of the Planning Director.

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The Department is in receipt of the letter and Resolution from the Eastern Neighborhoods Citizens Advisory Committee ("CAC") dated November 18, 2010. Both documents restate that the purpose of the CAC is to "provide input to City agencies and decision makers with regard to all activities related to the implementation of the Eastern Neighborhoods Area Plans." In this capacity, the CAC expressed concern over the future use of the historic resource surveys that are being conducted within the Eastern Neighborhoods Area Plans. Specifically, the Resolution requests that there be increased community engagement of the historic resource surveys and additional review of the historic resource surveys against the policies of Eastern Neighborhoods Area Plan.

We are writing in response to these concerns and aim to explain the genesis of the Eastern Neighborhood historic resource surveys, how the historic resource survey process works, the role of the Historic Preservation Commission ("HPC"), and the differences between historic resource survey adoption and formal Article 10 of the Planning Code designation.

To begin, the Eastern Neighborhood planning process called for historic resource surveys in each of the four Plan Areas. The first survey conducted was the Central Waterfront Plan Area (completed in 2001) which led to the 2003 designation of the Dogpatch Historic District under Article 10. The remaining historic resource surveys - the Mission¹, Showplace Square, and East SoMa areas - began in 2006. Because these historic resource surveys began after the Eastern Neighborhoods Area Plans were well underway, the final Area Plans did not include detailed provisions for the role of historic resources. As a result, the final Ordinance adopting the Eastern Neighborhood Areas Plans requires that upon completion of the historic resource surveys, the Area Plans will be formally amended to incorporate the findings.²

Historic resource surveys are technical reports that evaluate all properties over 45 years of age. Using standards provided by the California Office of Historic Preservation, a city-contracted preservation consultant firm conducts evaluations of all buildings that meet the threshold for

¹ Please note that the Mission Area was divided into two historic resource surveys. The Inner Mission North Survey was undertaken by the Planning Department staff, whereas the Inner Mission South Survey was a part of the larger Eastern Neighborhoods Area Plan historic resource surveys.

² Eastern Neighborhood Area Plans Ordinance: <http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=1294>.

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review. All properties that are surveyed are evaluated as to whether they meet the California Register of Historical Resources criteria, either as an individual resource or as a part of a historic district.

Once this base data is compiled, the survey data undergoes a peer-review by the Department's Historic Preservation Technical Specialists for accuracy.³ Next, an ad-hoc Survey Advisors Group comprised of preservation professionals, reviews the survey materials for accuracy and thoroughness, followed by internal presentations of the historic resource survey data findings to the Department's Director and senior managers. This process takes several years to complete before the historic resource surveys are ready to be presented to the public for review.

As part of the public outreach process, the Department posts all of the historic resource survey data and findings on the Department's website, and hard copies are available for the public at our offices. All property owners within the historic resource survey area, regardless of whether the properties meet the survey threshold, receive notification of the completed survey(s). The Department also posts trilingual notices throughout each neighborhood and places public service announcements on KQED and in a local publications. Each notice informs the property owner of the historic resource survey, the findings of the survey results if applicable and a fact sheet with basic information on the historic resource surveys. In addition, the Department notices property owners and community members of all public community meeting(s). At these meetings the Department provides an overview of the historic resource survey, its findings, and how the survey information is used. Planning staff is on hand to answer building-specific questions, and to receive comments and requests for reconsideration.

It should be noted that all public notification is conducted for a minimum of 30-days before any public hearings are scheduled at the HPC. The HPC holds a series of public hearings to review the data and findings of the historic resource surveys. The HPC then formally 'adopts' the survey findings in a motion. This adoption by the HPC states that the historic resource survey is complete and accurate and that the HPC agrees with the findings. This adoption process is required by the Eastern Neighborhoods Area Plan Ordinance. Only upon formal adoption of these surveys may the Area Plans be amended to incorporate this data into the plans.

There are several outcomes of the data gleaned from the historic resource surveys. First, the data provides the public and Department basic information about the history and significance of a property or neighborhood. It enables a faster review of projects under the California Environmental Quality Act ("CEQA"). Historic resource surveys allow for a broader understanding of possible historic resources under CEQA, both individually and as a contributor to a historic district. Without these surveys the Department review occurs on a case-by-case basis without the detailed peer review or formal review by the HPC. Adopted historic resource surveys provide necessary data early in the process for development, thus allowing an opportunity for any potential impacts to be remedied. A historic resource survey not only removes the burden from property owners of paying individually for this work but also expedites the CEQA review process. Survey work benefits both the public and the Department in creating transparency and certainty in decision making.

³ It should be noted that all Historic Preservation Technical Specialists hired by the Planning Department meet the qualifications of the Secretary of the Interior's Professional Standards.

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The second outcome of the historic resource surveys are official designation. There are three levels of historic resource designation: 1) local designation under Article 10 of the Planning Code; 2) state designation under the California Register of Historical Resources; and 3) federal designation under the National Register of Historic Places. As a body, the HPC may only proceed with the local Article 10 designation, as the other two types are out of the City's purview.

The HPC, pursuant to Charter Section 4.135, can only review work on properties either individually designated or as part of a historic district under Article 10 of the Planning Code. The designation process is outlined specifically in the Planning Code, with the final decision by the Board of Supervisors. It must be noted that the Article 10 designation process has separate and specific notification procedures and there are a minimum of four hearings where the public may voice their opinion about the proposed designation.

Planning Code Section 1004.1 states that initiation of Article 10 designation may only be made by: 1) the Board of Supervisors; 2) the Historic Preservation Commission; 3) the Art Commission; or 4) an application filed by a property owner(s). The Board of Supervisors, HPC, and Art Commission do not require the consent of the property owners to designate – only upon an application for a historic district submitted by property owners does the Planning Code require that at least 66 percent 'subscribe' to the proposed Article 10 designation. It should be noted that there are no additional legal requirements for consent of an Article 10 designation.

Any proposed Article 10 designation will be heard by the HPC and Board of Supervisors. If a historic district is proposed, the Planning Commission may review and comment upon before the Board of Supervisors hears the item. The Department is committed to rigorous public outreach and will bring any proposed Article 10 designations to the CAC for review and comment. The Department welcomes the additional involvement of the CAC, and suggests that the CAC designates one or two members to work with the Department on this issue.

Lastly, every Article 10 designation is analyzed for consistency with the San Francisco General Plan, including the Eastern Neighborhoods Area Plan, and with the findings of Planning Code Section 101.1. The Department acknowledges that there are a variety of land use policies that must be considered when evaluating whether to support an Article 10 designation and that there may be conflicts between policies. These conflicts are analyzed and presented to the decision makers. Ultimately, the final decision of a designation lies with the Board of Supervisors.

We hope this letter addresses the CAC's letter and Resolution of November 18th's concerns. On behalf of the Department and the HPC, we look forward to working in the future toward our common goal – to ensure that the Eastern Neighborhoods policies are maintained and upheld.

If the CAC has any questions regarding this letter, please do not hesitate to contact Department staff.

Cc: Board of Supervisors
Historic Preservation Commission
Planning Commission
Kelley Amdur, Director of Neighborhood Planning
Tim Frye, Acting Preservation Coordinator
Steve Wertheim, Planning Department

