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J.B. Bintliff: A

SAN FRANCISCO PLANNING DEPARTMENT

Supplemental Memorandum Planning Code Text Change

HEARING DATE: MAY 16, 2018

Date: May 15, 2018
Project Name: **Mayor's Process Improvements Ordinance**
Case Number: 2018-004633PCA [Board File No. 180423]
Initiated by: Mayor Farrell / Introduced April 24, 2018; reintroduced May 15, 2018
Staff Contact: Jacob Bintliff, Senior Planner
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PURPOSE AND BACKGROUND

On April 24, 2018 Mayor Farrell introduced an Ordinance [Board File No. 180423] that would amend the Planning Code to streamline review of 100% affordable housing projects, eliminate duplicative review processes for most large downtown projects in C-3 districts, consolidate and modernize notification requirements and procedures, and provide for expedited review of minor alterations to historical landmarks and in conservation districts.

This Historic Preservation Commission is scheduled to consider adoption of a resolution to recommend approval, approval with modifications, or denial of the proposed Ordinance on May 16, 2018 and a staff report recommending approval along with a draft resolution were provided to the Commission and published on May 9, 2018.

On May 15, 2018 Mayor Farrell reintroduced the Ordinance under the same Board File number. This memorandum is provided to inform the Commission and general public of the changes in the proposed Ordinance, as reintroduced, in advance of the Commission's consideration of the Ordinance. Having considered the modifications to the Ordinance as reintroduced, the Department maintains a recommendation for approval.

Reintroduction of Mayor's Process Improvements Ordinance

MODIFICATIONS TO PROPOSED ORDINANCE

1. The proposed new Section 333 regarding Public Notification Procedures is modified to include accurate reference to applicable State law regarding newspaper notification and mailed notification for certain types of public hearings.
2. The amendments to Section 1111.1 regarding Permits to Alter for minor alterations to designated buildings in C-3 districts and/or Conservation Districts are modified to reflect closer consistency with the City Charter. The intent and effect of the amendments remain as described in the Executive Summary dated May 9, 2018, namely to provide for same-day administrative approval of these minor scopes of work by Planning Department staff.

As reintroduced, the amendments to Section 1111.1 would remove the requirement for issuance of a Minor Permit to Alter entirely for these minor scopes of work, meaning that it would no longer be necessary for the Historic Preservation Commission to delegate its authority to approve Minor Permits to Alter, as previously proposed. The Draft Resolution making recommendations on the proposed Ordinance that was provided as an attachment to the Executive Summary dated May 9, 2018 has been revised to reflect this change, and is included as an attachment to this memorandum.

3. The various amendments related to notification procedures and requirements that are contained in Section 4 of the proposed Ordinance would be subject to an operative date of January 1, 2019. This modification was included at the recommendation of the Planning Department and is intended to allow sufficient time for the Department to fully and effectively implement the new procedures, should they be enacted.

The amendments regarding review procedures for affordable housing projects and large residential projects downtown in Section 3 of the Ordinance, and those regarding administrative approval of minor alterations to historic buildings and in Conversation Districts in Section 5 of the Ordinance would become effective 30 days after enactment, per standard practice.

Reintroduction of Mayor's Process Improvements Ordinance

GUIDANCE AND ADDITIONAL RECOMMENDATIONS

The modifications summarized above do not alter the intent or effect of the proposed Ordinance as described in the Executive Summary dated May 9, 2018, and the Department maintains a recommendation for approval of the Ordinance, based on the findings provided in the Draft Resolution as previously provided.

As described above, the Draft Resolution making recommendations on the proposed Ordinance that was provided as an attachment to the Executive Summary dated May 9, 2018 has been revised to reflect the revised amendments to Section 1111.1 and to remove the language delegating Historic Preservation Commission authority for the approval of Minor Permits to Alter. The revised Draft Resolution is included as an attachment below.

Attachments:

- Exhibit A: Revised Draft Historic Preservation Commission Resolution
- Exhibit B: Legislative Digest for Proposed Ordinance, as reintroduced
- Exhibit C: Proposed Ordinance [Board File No. 180423], as reintroduced



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Draft Resolution HEARING DATE MAY 16, 2018

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RESOLUTION APPROVING A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO STREAMLINE AFFORDABLE HOUSING PROJECT REVIEW BY ELIMINATING A PLANNING COMMISSION DISCRETIONARY REVIEW HEARING FOR 100% AFFORDABLE HOUSING PROJECTS UPON DELEGATION BY THE PLANNING COMMISSION; TO PROVIDE FOR PLANNING DEPARTMENT REVIEW OF LARGE PROJECTS LOCATED IN C-3 DISTRICTS AND FOR CERTAIN MINOR ALTERATIONS TO HISTORICAL LANDMARKS AND IN CONSERVATION DISTRICTS; TO CONSOLIDATE, STANDARDIZE AND STREAMLINE NOTIFICATION REQUIREMENTS AND PROCEDURES, INCLUDING REQUIRED NEWSPAPER NOTICE, IN RESIDENTIAL, COMMERCIAL, AND MIXED-USE DISTRICTS; AND AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND ADOPTING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 24, 2018 Mayor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, on May 15, 2018 Mayor Farrell re-introduced the proposed Ordinance under the same Board of Supervisors (hereinafter "Board") File Number 180423, which would amend Sections 206.4, 309, and 315, add new Section 315.1, and delete Section 328 of the Planning Code to streamline review of 100% affordable housing projects and large downtown projects in C-3 districts; amend Sections 202.5, 302,

303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, and delete Section 306.10 and 312, and add new Section 333 of the Planning Code to consolidate and modernize notification requirements and procedures; and amend Sections 1005, 1111.1, and 1111.2 of the Planning Code to streamline review of minor alterations to historical landmarks and in conservation districts; and

WHEREAS, the Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 16, 2018; and

WHEREAS, the proposed Ordinance is not defined as a project under California Environmental Quality Act (CEQA) Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment; and

WHEREAS, the Historic Preservation Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Historic Preservation Commission has reviewed the proposed Ordinance; and

WHEREAS, the Historic Preservation Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Historic Preservation Commission hereby approves the proposed Ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed amendments to Section 315 of the Planning Code would enhance the Department's ability to provide administrative approval for high-priority 100% affordable housing projects by expanding the types of Planning Code exceptions that could be provided for these projects, regardless of location or lot size. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.

2. The proposed amendments to delete Section 328 and establish a new Section 315.1 of the Planning Code would streamline the review process for 100% Affordable Housing Bonus project, and strike an appropriate balance between the need for expedited review of affordable housing projects and the sensitivity to these larger-than-permitted Bonus Projects by providing an administrative approval path for eligible projects that limits Planning Code exceptions to those specifically created for such bonus projects in Section 206.4. The Ordinance would also reduce delays related to appeals, provided the Planning Commission delegates authority for Discretionary Review for these projects to the Planning Department, as the Board of Appeals would serve as the single appeal body for such projects.
3. The proposed amendments to Section 309 of the Planning Code would remove an additional layer of review for most large residential projects in the downtown C-3 districts by eliminating the need for a Variance in most cases. The Ordinance would reduce the time and procedural steps needed for Planning Department staff to complete project review, without leading to a significant change in the planning review outcome for such projects, as these Variances from dwelling unit exposure and useable open space requirements are routinely granted to accommodate the construction of high-rise residential developments in C-3 districts.
4. The proposed amendments to consolidate Section 311 and 312 into a single Section 311, establish a new Section 333, and delete or amend, as appropriate, various other Planning Code sections to reference the same, would establish uniform and consistent notification requirements for all Building Permit Applications and public hearings that require notification. This consolidation will save staff time, reduce the likelihood of errors in implementing notification requirements, and reduce delays in project review and approval.
5. The proposed amendments to establish a new Section 333 would significantly expand public access to public notification, while also reducing waste and cost. Specifically, the proposed Ordinance would expand mailed notice requirements to include tenants within the notification area in all cases, apply multilingual translation service requirements to all forms of public notification, and place notification materials and plan sets online for the first time. The new online posting requirement, in particular, will make the required notification materials accessible to the general public for the entire notification period, and serve the purpose and intent of the current newspaper notification requirement to greater effect and at significantly lower cost. The format and content requirements of the new Section 333 would reduce wasted paper and cost that result from current notification requirements.
6. The proposed amendments to Section 311 to allow for the limited rear yard addition permitted under Section 136(c)(25) to be approved at the Planning Information Counter, which would significantly reduce the permit volume under review by planners. The Department estimates that

allowing these projects alone to be approved "over the counter" would save roughly two full time equivalents (FTE) of staff time that could be spent on review of priority housing projects.

7. The proposed amendments to Section 1005 and 1111 to allow for permits for minor and routine scopes of work that currently require a Certificate of Appropriateness or Minor Permit to Alter under Section 1005 and 1111 of the Planning Code to be approved administratively by Planning Department staff at the Planning Information Center counter, provided the projects confirm to the relevant guidelines and standards in Planning Code sections 1006.6 and 1111.6 is estimated to reduce the permit review case load for Preservation planners by roughly one-third on an annual basis, allowing staff to focus more time on priority housing projects and other Preservation planning work. In addition, the project approval timeframe for these minor and routine scopes of work would be reduced from three to four months on average to a same-day approval.
8. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 8

BUILD PUBLIC AND PRIVATE SECTOR CAPACITY TO SUPPORT, FACILITATE, PROVIDE, AND MAINTAIN AFFORDABLE HOUSING

Policy 71

Planning staff shall support affordable housing projects in the development review process, including allowing sponsors of permanently affordable housing to take full advantage of allowable densities provided their projects are consistent with neighborhood character.

The proposed Ordinance would allow Planning staff to support affordable housing projects, including those seeking additional density through the 100% Affordable Housing Bonus Program, through new and enhanced administrative review procedures, provided that projects are in conformity with all applicable design guidelines and standards.

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH AND TRANSPARENT DECISION-MAKING PROCESS

The proposed Ordinance would allow the Planning Department to implement various streamlining strategies to better implement the Department's planning and review function, especially for new housing and affordable housing developments, while dramatically expanding access to public information regarding projects under review by the Planning Department and public hearings by consolidating and modernizing public notification requirements and procedures.

9. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. The proposed Ordinance will likely support neighborhood-serving retail establishments when those establishments are located in an historic landmark building or in a conservation district by allowing such business to seek administrative same-day approval of minor alterations to install business signage or automatic door operators. The proposed Ordinance would support neighborhood-serving retail generally by streamlining and modernizing the notification requirements applicable to commercial establishments in Section 312/new Section 311 by reducing the risk of delays due to minor errors in implementing these requirements.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on existing housing or neighborhood character. The proposed amendments to the review process for affordable housing projects and 100% Affordable Housing Bonus projects would maintain all existing requirements related to design standards for such projects, as applicable.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would support the City's ability to increase the supply of affordable housing, by providing new streamlined administrative approval procedures specifically for 100% affordable housing developments.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an

earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings. The proposed Ordinance would allow for certain minor alterations to City landmarks and historic structures, as specified, to be approved administratively provided these alterations conform to applicable guidelines of the Planning Code.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

10. **Planning Code Section 302 Findings.** The Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT FURTHER RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 16, 2018

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

LEGISLATIVE DIGEST

[Planning Code –Review for Downtown and Affordable Housing Projects; Notification Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts.]

Ordinance amending the Planning Code to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and affirming the Planning Department's determination under the California Environmental Quality Act, making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Affordable Housing Projects

Under Planning Code Section 315, affordable housing projects (without a density bonus) are considered principally permitted uses and could seek certain exceptions to Planning Code requirements. Affordable housing projects seeking approval under Section 315 may use exceptions that are permitted based on the size and location of the development lot. The Code does not allow an affordable housing project to seek exceptions from other project authorization types in other zoning districts, or those which apply to other lot types. The Planning Department is authorized to review and approve an affordable housing project, but an individual may request discretionary review of an affordable housing project before the Planning Commission.

100% Affordable Housing Bonus Projects ("Bonus Projects") are not subject to density limits set by ratio, but are subject only to the constraints on density based on height, bulk, setbacks and other relevant Planning Code provisions. These Bonus Projects are eligible for certain modifications to the Planning Code related to parking, open space, rear yard, dwelling unit exposure, and loading. Bonus Projects are approved through an authorization process, Planning Code Section 328, which provides for a Planning Commission hearing and an appeal to the Board of Supervisors, but Bonus Projects are not required to seek conditional use authorization. The Planning Commission does not hear separate discretionary review requests for Bonus Projects.

Noticing Requirements

The Planning Code contains numerous notice provisions for several different kinds of approvals. Notification requirements for permit review and entitlement hearings vary throughout the Code. There are over 30 noticing processes and criteria based on the location and type of project proposed.

Planning Code Section 311 provides residential permit review procedures for RH, RM, and RTO districts, and Section 312 provides permit review procedures for all NC and Eastern Neighborhoods Mixed Use Districts and for Cannabis Retail and Medical Cannabis Dispensary Uses in all non-residential zoning districts.

Historic buildings

Planning Code Section 1005 identifies four minor scopes of work that are exempt from Article 10 review. Section 1111.1 includes two scopes of work that are considered Minor Alterations under Article 11.

Amendments to Current Law

The legislation provides new procedures in 3 different areas, as follows.

1. Affordable Housing Projects

The proposed amendments add 2 new exceptions to Section 309 that may be requested – exposure requirements set forth in Planning Code Section 140 and usable open space requirements of Section 135. Under proposed Section 315, affordable housing projects may utilize the exceptions of Section 309, as well as other Code sections, regardless of the location of the housing project and lot size requirements. Conditional use authorization for affordable housing projects is not required. Section 315 allows the Planning Department to administratively review and approve an affordable housing project and no discretionary review hearing would occur before the Planning Commission as long as the Planning Commission delegates this review to the Planning Department. The Planning Department approval would be conducted as part of a related building permit application, and any appeal of the Planning Department's determination would be made through the associated building permit, which appeal would be to the Board of Appeals.

For Bonus Projects, Planning Code Section 328 would be deleted and the requirements would be set forth in new Planning Code Section 315.1. Bonus Projects would continue to be eligible to use the same exceptions as previously provided in Planning Code Section 328. The Planning Director rather than the Planning Commission would review Bonus Projects and must make certain findings, and no hearing before the Planning Commission would be required. No discretionary review hearing would occur before the Planning Commission as long as the Planning Commission delegates this review to the Planning Department. The

Planning Department's approval would be conducted as part of a related building permit application, and any appeal of the Planning Department's determination would be through the associated building permit, which appeal would be to the Board of Appeals.

2. General Noticing Requirements

New Planning Code Section 333 sets forth procedures for all public notifications required by the Planning Code, for hearings before the Planning Commission, Historic Preservation Commission and the Zoning Administrator for which public notice is required, and for certain building permit applications. It would provide a Notification Period no fewer than 20 days prior to the date of a hearing, or prior to the date of Planning Department approval of certain building permit applications.

Section 333 sets forth requirements for (1) the contents of notices, (2) posted notices on the site, (3) mailed notice to owners and, when practicable, occupants located within no less than 150 feet of a proposed project application, or as may otherwise be required by State law, as well as to neighborhood organizations and individuals who have made written requests for notice, (4) online notice, and (5) newspaper notice when required by State law. There are also notice requirements for legislative actions.

The Zoning Administrator may waive duplicate notice for applications that are the subject of an otherwise duly noticed public hearing before the Planning Commission or Zoning Administrator, provided that the nature of work for which the application is required is both substantially included in the hearing notice and was the subject of the hearing. The Zoning Administrator may determine the means of delivering all forms of required public notice, provided that the requirements of Section 333 are satisfied.

Section 312 is proposed to be deleted in its entirety, and Section 311 would provide notice and review procedures for building permit applications in Residential, NC, NCT, and Eastern Neighborhoods Districts for a change of use; establishment of a Micro Wireless Telecommunications Services Facility and a Formula Retail Use; demolition, new construction, or alteration of buildings; and the removal of an authorized or unauthorized residential unit.

3. Historic Buildings

Section 1005 would include five additional scopes of work that are not subject to Article 10 review. Section 1111.1 would include three scopes of work that would not require a Permit to Alter under Article 11, including certain signs that comply with the provisions of Section 1111.6. Section 1111.2 also reflects the updated review processes for signs.

Operative Dates.

The Legislation also includes 2 operative dates as follows:

The Amendments contained in Sections 3 and 5 of the ordinance, including revisions to Planning Code Sections 206.4, 309, 315, 1005, 1111.1, and 1111.2; the addition of new Planning Code Section 315.1; and deletion of Planning Code Section 328, would become operative on the Effective Date. The Amendments contained in Section 4 of the ordinance, including amendments to Planning Code Sections 202.5, 302, 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4, deletions of Planning Code Sections 306.10 and 312, and addition of new Planning Code Section 333, would become operative on January 1, 2019.

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1 [Planning Code –Review for Downtown and Affordable Housing Projects; Notification
2 Requirements; Review of Alterations to Historical Landmarks and in Conservation Districts.]

3 **Ordinance amending the Planning Code to streamline affordable housing project**
4 **review by eliminating a Planning Commission Discretionary Review hearing for 100%**
5 **affordable housing projects upon delegation by the Planning Commission; to provide**
6 **for Planning Department review of large projects located in C-3 Districts and for certain**
7 **minor alterations to Historical Landmarks and in Conservation Districts; to consolidate,**
8 **standardize and streamline notification requirements and procedures, including**
9 **required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and**
10 **affirming the Planning Department’s determination under the California Environmental**
11 **Quality Act, making findings of consistency with the General Plan and the eight priority**
12 **policies of Planning Code, Section 101.1, and adopting findings of public necessity,**
13 **convenience, and welfare under Planning Code, Section 302.**

14 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
15 **Additions to Codes** are in single-underline italics Times New Roman font.
16 **Deletions to Codes** are in ~~strikethrough italics Times New Roman font~~.
17 **Board amendment additions** are in double-underlined Arial font.
18 **Board amendment deletions** are in ~~strikethrough Arial font~~.
19 **Asterisks (* * * *)** indicate the omission of unchanged Code
20 subsections or parts of tables.

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. General Findings.

23 (a) The Planning Department has determined that the actions contemplated in this
24 ordinance comply with the California Environmental Quality Act (California Public Resources
25 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms this determination.

(b) On _____, the Planning Commission, in Resolution No. _____, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code Amendment will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____ and the Board incorporates such reasons herein by reference. A copy of said Resolution is on file with the Board of Supervisors in File No. _____.

Section 2. Findings about City Approval and Notification Processes.

(a) The housing crisis in San Francisco is acute with more than 140,000 jobs added since the Great Recession and approximately 27,000 housing units approved. The median single-family home price in San Francisco has reached an all-time high of \$1.6 million in the first quarter of 2018, affordable to only 12 percent of San Francisco households. The average rent for a one bedroom apartment in San Francisco in the same quarter is \$3,281, affordable to less than one-third of San Francisco households.

(b) Mayor Edwin M. Lee's Executive Directive 17-02 -- "Keeping up the Pace of Housing Production" -- called on City departments to reduce project approval timelines by half and come up with process improvement plans and measures to allocate staff and resources to meet these goals.

1 (c) The Planning Department Process Improvements Plan on December 1, 2017
2 recommended a number of internal procedure changes and Planning Code amendments to
3 achieve the goals of Executive Directive 17-02.

4 (d) Ordinance No. 7-16, "Affordable Housing Review Process," established Section
5 315, Affordable Housing Project Authorization, which stipulated that an Affordable Housing
6 Project would be a principally permitted use and would not require conditional use
7 authorization or a Planning Commission hearing.

8 (e) Ordinance No. 46-96 enacted Section 311 of the Planning Code to establish
9 procedures for reviewing building permit applications for lots in "R" districts in order to
10 determine compatibility of the proposal with the neighborhood and for providing notice to
11 property owners and residents neighboring the site of the proposed project.

12 (f) Ordinance No. 46-96 and 279-00 established the importance of notifying property
13 owners as well as tenants of proposed projects within a 150-foot radius of their home or
14 property.

15 (g) Ordinance No. 27-15 established Language Access Requirements for Departments
16 to serve the more than 10,000 Limited English Persons residing in San Francisco encouraging
17 multilingual translation services for public notifications to be as widely available as possible.

18 (h) Newspaper circulation is down and digital media consumption is up. Even among
19 paying subscribers of newspapers, minority populations are more likely to utilize digital media
20 over print media. The official newspaper of the City and County of San Francisco has print
21 delivery of 561,004 on Sundays and 841,924 unique page views of their website.

22 (i) The Planning Department was responsible for reviewing over 11,000 building permit
23 applications and development applications in 2017.
24
25

1 (j) Current notification procedures required the production and mailing of over 600,000
2 pieces of paper, or 3 tons, in 2017 alone, at a cost of over \$250,000 with an additional
3 \$70,000 spent annually on newspaper advertisements.

4 (k) The Planning Code currently sets forth more than 30 unique combinations of
5 notification requirements. These varied notification requirements and redundant procedures
6 are confusing, and amount to an inefficient use of staff time and public resources that would
7 be better spent on reviewing permits and projects to add housing stock to San Francisco's
8 housing supply and provide more meaningful public notification.

9
10 Section 3. The Planning Code is hereby amended by revising Sections 206.4, 309, and
11 315; adding new Section 315.1; and deleting Section 328, to read as follows:

12
13 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

14 * * * *

15 (c) **Development Bonuses.** A 100 Percent Affordable Housing Bonus Project shall, at
16 the project sponsor's request, receive any or all of the following:

17 (1) **Priority Processing.** 100 Percent Affordable Housing Bonus Projects shall
18 receive Priority Processing.

19 (2) **Form Based Density.** Notwithstanding any zoning designation to the
20 contrary, density of the 100 Percent Affordable Housing Bonus Project shall not be limited by
21 lot area but rather by the applicable requirements and limitations set forth elsewhere in this
22 Code. Such requirements and limitations include, but are not limited to, height, including any
23 additional height allowed by subsection (c) herein, Bulk, Setbacks, Open Space, Exposure
24 and unit mix as well as applicable design guidelines, elements and area plans of the General
25 Plan and design review, including consistency with the Affordable Housing Bonus Program

1 Design Guidelines, referenced in Section ~~328~~ 315.1, as determined by the Planning
2 Department.

3 (3) **Height.** 100 Percent Affordable Housing Bonus Projects shall be allowed
4 up to 30 additional feet, not including allowed exceptions per Section 260(b), above the
5 property's height district limit in order to provide three additional stories of residential use. This
6 additional height may only be used to provide up to three additional 10-foot stories to the
7 project, or one additional story of not more than 10 feet in height.

8 (4) **Ground Floor Ceiling Height.** In addition to the permitted height allowed
9 under subsection (c)(3), 100 Percent Affordable Housing Bonus Projects with active ground
10 floors as defined in Section 145.1(b)(2) shall receive one additional foot of height, up to a
11 maximum of an additional five feet at the ground floor, exclusively to provide a minimum 14-
12 foot (floor to ceiling) ground floor ceiling height.

13 (5) **Zoning Modifications.** 100 Percent Affordable Housing Bonus Projects
14 may select any or all of the following zoning modifications:

15 (A) **Rear Yard:** The required rear yard per Section 134 or any applicable
16 special use district may be reduced to no less than 20% of the lot depth or 15 feet, whichever
17 is greater. Corner properties may provide 20% of the lot area at the interior corner of the
18 property to meet the minimum rear yard requirement, provided that each horizontal dimension
19 of the open area is a minimum of 15 feet; and that the open area is wholly or partially
20 contiguous to the existing midblock open space, if any, formed by the rear yards of adjacent
21 properties.

22 (B) **Dwelling Unit Exposure:** The dwelling unit exposure requirements
23 of Section 140(a)(2) may be satisfied through qualifying windows facing an unobstructed open
24 area that is no less than 15 feet in every horizontal dimension, and such open area is not
25 required to expand in every horizontal dimension at each subsequent floor.

1 (C) **Off Street Loading:** No off-street loading spaces under Section
2 152.

3 (D) **Automobile Parking:** Up to a 100% reduction in the minimum off-
4 street residential and commercial automobile parking requirement under Article 1.5 of this
5 Code.

6 (E) **Open Space:** Up to a 10% reduction in common open space
7 requirements if required by Section 135, but no less than 36 square feet of open space per
8 unit.

9 (F) **Inner Courts as Open Space:** In order for an inner court to qualify
10 as useable common open space, Section 135(g)(2) requires it to be at least 20 feet in every
11 horizontal dimension, and for the height of the walls and projections above the court on at
12 least three sides (or 75% of the perimeter, whichever is greater) to be no higher than one foot
13 for each foot that such point is horizontally distant from the opposite side of the clear space in
14 the court. 100 Percent Affordable Housing Bonus Projects may instead provide an inner court
15 that is at least 25 feet in every horizontal dimension, with no restriction on the heights of
16 adjacent walls. All area within such an inner court shall qualify as common open space under
17 Section 135.

18 (d) **Implementation.**

19 (1) **Application.** The following procedures shall govern the processing of a
20 request for a project to qualify under the 100 Percent Affordable Housing Bonus Program.

21 (A) An application to participate in the 100 Percent Affordable Housing
22 Bonus Program shall be submitted with the first application for approval of a Housing Project
23 and processed concurrently with all other applications required for the Housing Project. The
24 application shall be submitted on a form prescribed by the City and shall include at least the
25 following information:

1 (i) A full plan set including a site plan, elevations, sections and
2 floor plans, showing the total number of units, unit sizes and planned affordability levels and
3 any applicable funding sources;

4 (ii) The requested development bonuses from those listed in
5 subsection (c);

6 (iii) Unit size and distribution of multi-bedroom units:

7 (iv) Documentation that the applicant has provided written
8 notification to all existing commercial tenants that the applicant intends to develop the
9 property pursuant to this section 206.4. Any affected commercial tenants shall be given
10 priority processing similar to the Department's Community Business Priority Processing
11 Program, as adopted by the Planning Commission on February 12, 2015 under Resolution
12 Number 19323 to support relocation of such business in concert with access to relevant local
13 business support programs. In no case may an applicant receive a site permit or any
14 demolition permit prior to 18 months from the date of written notification required by this
15 subsection 206.4(d)(1)(B); and

16 (v) Documentation that the applicant shall comply with any
17 applicable provisions of the State Relocation Law or Federal Uniform Relocation Act when a
18 parcel includes existing commercial tenants.

19 (2) **Conditions.** Entitlements of 100 Percent Affordable Housing Bonus Projects
20 approved under this Section shall be valid for 10 years from the date of ~~Planning Commission or~~
21 ~~Planning Department~~ approval.

22 ~~(3) Notice and Hearing. 100 Percent Affordable Housing Bonus Projects shall comply~~
23 ~~with Section 328 for review and approval.~~

1 (34) **Controls.** Notwithstanding any other provision of this Code, no conditional
2 use authorization shall be required for a 100 Percent Affordable Housing Bonus Project,
3 unless such conditional use requirement was adopted by the voters.
4

5 **SEC. 309. PERMIT REVIEW IN C-3 DISTRICTS.**

6 The provisions and procedures set forth in this Section shall govern the review of
7 project authorization and building and site permit applications for (1) the construction or
8 substantial alteration of structures in C-3 Districts, (2) the granting of exceptions to certain
9 requirements of this Code where the provisions of this Section are invoked, and (3) the
10 approval of open space and streetscape requirements of the Planning Code. When any action
11 authorized by this Section is taken, any determination with respect to the proposed project
12 required or authorized pursuant to CEQA may also be considered. This Section shall not
13 require additional review in connection with a site or building permit application if review
14 hereunder was completed with respect to the same proposed structure or alteration in
15 connection with a project authorization application pursuant to Section 322.

16 (a) **Exceptions.** Exceptions to the following provisions of this Code may be granted
17 as provided in the code sections referred to below:

18 (1) Exceptions to the setback, streetwall, tower separation, and rear yard
19 requirements as permitted in Sections 132.1 and 134(d);

20 (2) Exceptions to the ground-level wind current requirements as permitted in
21 Section 148;

22 (3) Exceptions to the sunlight to public sidewalk requirement as permitted in
23 Section 146;

24 (4) Exceptions to the limitation on curb cuts for parking access as permitted in
25 Section 155(r);

1 (5) Exceptions to the limitations on above-grade residential accessory parking
2 as permitted in Section 155(s);

3 (6) Exceptions to the freight loading and service vehicle space requirements as
4 permitted in Section 161(f);

5 (7) Exceptions to the off-street tour bus loading space requirements as
6 permitted in Section 162;

7 (8) Exceptions to the use requirements in the C-3-O (SD) Commercial Special
8 Use Subdistrict in Section 248;

9 (9) Exceptions to the height limits for buildings taller than 550 feet in height in
10 the S-2 Bulk District for allowance of non-occupied architectural, screening, and rooftop
11 elements that meet the criteria of Section 260(b)(1)(M);

12 (10) Exceptions to the volumetric limitations for roof enclosures and screens as
13 prescribed in Section 260(b)(1)(F). For existing buildings, exceptions to the volumetric
14 limitations for roof enclosures and screens shall be granted only if all rooftop equipment that is
15 unused or permanently out of operation is removed from the building;

16 (11) Exceptions to the height limits for vertical extensions as permitted in
17 Section 260(b)(1)(G) and for upper tower extensions as permitted in Section 263.9;

18 (12) Exceptions to the height limits in the 80-130F and 80-130X Height and
19 Bulk Districts as permitted in Section 263.8 and in the 200-400S Height and Bulk District as
20 permitted in Section 263.10;

21 (13) Exceptions to the bulk requirements as permitted in Sections 270 and 272.

22 (14) Exceptions to the exposure requirements as permitted in Section 140.

23 (15) Exceptions to the usable open space requirements as permitted in Section 135.

24 * * * *

1 (d) **Notice of Proposed Approval for Projects that do not require Public Hearing.** If an
2 application does not require a Planning Commission hearing pursuant to Subsection 309(e)(1) below,
3 the application or building or site permit may be reviewed and approved administratively. At the
4 determination of the Planning Director, applications for especially significant scopes of work may be
5 subject to the notification requirements of Section 333 of this Code. If a request for Planning
6 Commission review is made pursuant to subsection 309(f), the application will be subject to the
7 notification and hearing procedures of this Section. If no request for Commission review is made, the
8 Zoning Administrator may approve the project administratively. ~~If, after a review of the Application or~~
9 ~~building or site permit, and (1) the Zoning Administrator determines that an application complies with~~
10 ~~the provisions of this Code and that no exception is sought as provided in Subsection (a), and (2) the~~
11 ~~Director of Planning determines that no additional modifications are warranted as provided in~~
12 ~~Subsection (b), and (3) the project meets the open space and streetscape requirements of the Planning~~
13 ~~Code or (4) the project sponsor agrees to the modifications as requested by the Director, the Zoning~~
14 ~~Administrator shall provide notice of the proposed approval of the application by mail to all owners of~~
15 ~~the property immediately adjacent to the property that is subject of the Application no less than 10 days~~
16 ~~before final approval, and, in addition, to any person who has requested such notice in writing. If no~~
17 ~~request for Planning Commission review pursuant to Subsection (g) is made within 10 days of such~~
18 ~~notice, the Zoning Administrator shall approve the application.~~

19 **(e) Hearing and Determination of Applications for Exceptions.**

20 (1) **Hearing.** The Planning Commission shall hold a public hearing on ~~an~~ a
21 Section 309 application if: for an exception as provided in Subsection (a).

22 (A) The project would result in a net addition of more than 50,000 square feet of
23 gross floor area of space, or

24 (B) The project includes the construction of a new building greater than 75 feet
25 in height (excluding any exceptions permitted per Section 260(b)), or includes a vertical addition to an

1 existing building with a height of 75 feet or less resulting in a total building height greater than 75 feet;
2 or

3 (C) The project would require an exception as provided in Subsection 309(a).

4 (2) **Notice of Hearing.** Notice of such hearing shall be conducted pursuant to
5 the provisions of Section 333 of this Code, mailed not less than 10 days prior to the date of the hearing
6 to the project applicant, to property owners within 300 feet of the project that is the subject of the
7 application, using for this purpose the names and addresses as shown on the citywide Assessment Roll
8 in the Assessor's Office, and to any person who has requested such notice. The notice shall state that
9 the written recommendation of the Director of Planning regarding the request for an exception will be
10 available for public review at the office of the Planning Department.

11 (3) **Decision and Appeal.** The Planning Commission may, after public hearing and
12 after making appropriate findings, approve, disapprove or approve subject to conditions, the
13 application for an exception. The decision of the Planning Commission may be appealed to
14 the Board of Appeals by any person aggrieved within 15 days after the date of the decision by
15 filing a written notice of appeal with that Body, setting forth wherein it is alleged that there was
16 an error in the interpretation of the provisions of this Code or abuse of discretion on the part of
17 the Planning Commission.

18 (4) **Decision on Appeal.** Upon the hearing of an appeal, the Board of Appeals may;
19 subject to the same limitations as are placed on the Planning Commission by Charter or by this Code,
20 approve, disapprove or modify the decision appealed from. If the determination of the Board
21 differs from that of the Commission it shall, in a written decision, specify the error in
22 interpretation or abuse of discretion on the part of the Commission and shall specify in the
23 findings, as part of the written decision, the facts relied upon in arriving at its determination.

24 ~~(f) Administrative Approval of Design Review.~~

25 ~~(1) Recommendations. If the Director of Planning determines that modifications~~

1 ~~through the imposition of conditions are warranted as provided in Subsection (b), or that the open~~
2 ~~space requirements or the streetscape requirements of the Planning Code have not been complied with,~~
3 ~~the matter shall be scheduled for hearing before the Planning Commission. If the Director determines~~
4 ~~that the open space and streetscape requirements of the Planning Code have been complied with and~~
5 ~~the applicant does not oppose the imposition of conditions which the Director has determined are~~
6 ~~warranted, the applicant may waive the right to a hearing before the Planning Commission in writing~~
7 ~~and agree to the conditions. The Zoning Administrator shall provide notice of the proposed approval of~~
8 ~~the application according to the notice given for applications governed by Subsection (d), so that any~~
9 ~~person seeking additional modifications or objecting to the open space or streetscape requirements~~
10 ~~determination may make such a request for Planning Commission review as provided in Subsection (g).~~
11 ~~If no request is made within 10 days of such notice, the Zoning Administrator shall approve the~~
12 ~~application subject to the conditions.~~

13 ~~—(2) **Notice.** If the proposed application will be heard by the Planning Commission, notice~~
14 ~~of such hearing shall be mailed not less than 10 days prior to the hearing to the project applicant, to~~
15 ~~property owners immediately adjacent to the site of the application using for this purpose the names~~
16 ~~and addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person~~
17 ~~who has requested such notice. The notice shall state that the Director's written recommendation will~~
18 ~~be available for public review at the Planning Department.~~

19 ~~—(3) **Commission Action.** The Planning Commission may, after public hearing and after~~
20 ~~making appropriate findings, approve, disapprove or approve subject to conditions applications~~
21 ~~considered pursuant to Subsection (b) or for compliance with the open space and streetscape~~
22 ~~requirements of the Planning Code.~~

23 **(g.f) Planning Commission Review Upon Request.**

24 **(1) Requests.** Within 10 days after notice of the proposed Zoning Administrator
25 approval has been given, as provided in Subsection (d), any person may request in writing

1 that the Planning Commission impose additional modifications on the project as provided in
2 Subsection (b) or consider the application for compliance with the open space and
3 streetscape requirements of the Planning Code. The written request shall state why additional
4 modifications should be imposed notwithstanding its compliance with the requirements of this
5 Code and shall identify the policies or objectives that would be promoted by the imposition of
6 conditions, or shall state why the open space and streetscape requirements have not been
7 complied with.

8 (2) **Commission Consideration.** The Planning Commission shall consider at a public
9 hearing each written request for additional modifications and for consideration of the open
10 space and streetscape requirements of the Planning Code compliance and may, by majority
11 vote, direct that a hearing be conducted to consider such modifications or compliance, which
12 hearing may be conducted at the same meeting that the written request is considered and
13 decided. Notice of such hearing shall be ~~mailed to the project applicant, to property owners~~
14 ~~immediately adjacent to the site of the application using for this purpose the names and addresses as~~
15 ~~shown on the Citywide Assessment Roll in the Assessor's Office provided pursuant to the requirements~~
16 ~~of Section 333 of this Code, provided that mailed notice shall also be provided~~ to any person who
17 has requested such notice, and to any person who has submitted a request for additional
18 requirements. In determining whether to conduct such a hearing, the Planning Commission
19 shall determine whether, based upon a review of the project, reasonable grounds exist
20 justifying a public hearing in order to consider the proposed additional modifications and the
21 open space and streetscape requirements of the Planning Code compliance.

22 (3) **Commission Action.** If the Planning Commission determines to conduct a hearing
23 to consider the imposition of additional modifications or the open space and streetscape
24 requirements compliance, it may, after such hearing and after making appropriate findings,
25 approve, disapprove, or approve subject to conditions the building or site permit or project

1 authorization application. If the Planning Commission determines not to conduct a hearing,
2 the Zoning Administrator shall approve the application subject to any conditions imposed by
3 the Director of Planning to which the applicant has consented.

4 ~~(h) **Mandatory Planning Commission Hearing for Projects Over 50,000 Square Feet of**~~
5 ~~**Gross Floor Area or Over 75 Feet in Height.** The Planning Commission shall hold a public hearing~~
6 ~~not otherwise required by this Section on all building and site permit and Section 309 applications for~~
7 ~~projects which will result in a net addition of more than 50,000 square feet of gross floor area of space~~
8 ~~or which will result in a building that is greater than 75 feet in height. Notice of such hearing shall be~~
9 ~~mailed not less than 10 days prior to the date of the hearing to the project applicant, to property~~
10 ~~owners immediately adjacent to the site of the application using for this purpose the names and~~
11 ~~addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any person who~~
12 ~~has requested such notice.~~

13 * * * *

14 15 **SEC. 315. AFFORDABLE HOUSING PROJECT AUTHORIZATION.**

16 (a) **Purpose.** The purpose of this Section 315 is to ensure that any project where the
17 principal use is affordable housing, defined in subsection (b) as an Affordable Housing
18 Project, is reviewed in coordination with relevant priority processing and design guidelines.

19 (b) **Applicability.** Notwithstanding anything to the contrary contained in this Planning
20 Code, this Section 315 shall apply to any project where the principal use is housing comprised
21 solely of housing that is restricted for a minimum of 55 years as affordable for "persons and
22 families of low or moderate income," as defined in California Health & Safety Code Section
23 50093 (an "Affordable Housing Project"). The Affordable Housing Project shall be considered
24 a principally permitted use and shall comply with the administrative review procedures set
25 forth in this Section and shall not require conditional use authorization or a Planning

1 Commission hearing that otherwise may be required by the Planning Code, provided that the
2 site is not designated as public open space, is not under the jurisdiction of the Recreation and
3 Park Department, is not located in a zoning district that prohibits residential uses, or is not
4 located in an RH zoning district.

5 (1) If a conditional use authorization or other Planning Commission approval is
6 required for provision of parking, where the amount of parking provided exceeds the base
7 amount permitted as accessory in Planning Code Article 1.5, such requirement shall apply.

8 (2) If an Affordable Housing Project proposes demolition or change in use of a
9 general grocery store or movie theatre, this Section shall not apply.

10 (3) If a non-residential use contained in any proposed project would require
11 conditional use authorization, such requirement shall apply unless the non-residential use is
12 accessory to and supportive of the affordable housing on-site.

13 **(c) Review Process.**

14 (1) In lieu of any otherwise required Planning Commission authorization and
15 associated hearing, the Planning Department shall administratively review and evaluate the
16 physical aspects of an Affordable Housing Project and review such projects in coordination
17 with relevant priority processing and design guidelines. The review of an Affordable Housing
18 Project shall be conducted as part of, and incorporated into, a related building permit application or
19 other required project authorizations, and no additional application fee shall be required. An
20 Affordable Housing Project may seek exceptions to Planning Code requirements that ~~may be~~
21 are available through the Planning Code, ~~including but not limited to sections 253, 303, 304, 309,~~
22 ~~and 329, without a Planning Commission hearing, and the Planning Department may permit such~~
23 ~~exceptions if it makes the findings otherwise required by the Planning Code. This includes, but is not~~
24 ~~limited to, those exceptions permitted through Sections 253, 303, 304, 309, and 329. The Planning~~
25 ~~Department may grant such exceptions if it makes the findings as required in subsection (c)(2) below.~~

1 An Affordable Housing Project may seek exceptions from other Code requirements that could otherwise
2 be granted to a Planned Unit Development as set forth in Section 304, irrespective of the zoning district
3 in which the property is located and irrespective of lot size requirements set forth in Section 304, and
4 provided further that conditional use authorization shall not be required.

5 100 Percent Affordable Housing Bonus Projects seeking density bonuses,
6 zoning modifications, or Planning Code exceptions pursuant to Section 206.4 of this Code shall be
7 subject to the provisions and review process pursuant to Section 315.1 of this Code.

8 (2) This administrative review shall be identical in purpose and intent to any
9 Planning Commission review that would otherwise be required by the Planning Code,
10 including but not limited to Sections 253, 303, 304, 309, or 329, but shall not be considered a
11 conditional use authorization. ~~and an Affordable Housing Project may seek the exceptions set forth in~~
12 ~~the Planning Code.~~ If an Affordable Housing Project would otherwise be subject to such
13 Planning Code provisions, the Planning Department shall consider all the criteria set forth in
14 such Planning Code sections and shall make all required findings in writing when it approves,
15 modifies, conditions, or disapproves an Affordable Housing Project. If the project is seeking
16 exceptions solely as provided in this Section 315, the Department shall only make those required
17 findings set forth in Section 303(c) of this Code.

18 (3) **Decision and Imposition of Conditions.** The Planning Department, after
19 making appropriate findings, may approve, disapprove or approve subject to conditions the
20 Affordable Housing Project and any associated requests for exceptions as part of a related
21 building permit application or other required project authorizations. As part of its review and
22 decision, the Planning Department may impose additional conditions, requirements,
23 modifications, and limitations on a proposed Affordable Housing Project in order to achieve
24 the objectives, policies, and intent of the General Plan or the Planning Code. Such ~~approval or~~

1 ~~disapproval~~determination shall be made in writing and mailed to the project sponsor and
2 individuals or organizations who so request.

3 (4) **Change of Conditions.** Once a project is approved, authorization of a
4 change in any condition previously imposed by the Planning Department shall require
5 approval by the Planning Director subject to the procedures set forth in this Section 315.

6 (5) **Discretionary Review.** As long as the Planning Commission has delegated its
7 authority to the Planning Department to review applications for an Affordable Housing Project, the
8 Planning Commission shall not hold a public hearing for discretionary review of an Affordable
9 Housing Project that is subject to this Section 315. This Section 315 is not intended to alter the
10 procedures for requests for Discretionary Review by the Planning Commission.

11 (d) Appeals. The Planning Department's administrative determination regarding an Affordable
12 Housing Project pursuant to this Section 315 shall be considered part of a related building permit. Any
13 appeal of such determination shall be made through the associated building permit.

14
15 **SEC. 315.1 100 PERCENT AFFORDABLE HOUSING BONUS PROJECT AUTHORIZATION.**

16 (a) Purpose. The purpose of this Section 315.1 is to ensure that all 100 Percent Affordable
17 Housing Bonus projects pursuant to Planning Code Section 206.4 are reviewed in coordination with
18 Priority Processing available for certain projects with 100% affordable housing. While most projects
19 in the 100 Percent Affordable Housing Bonus Program will likely be somewhat larger than their
20 surroundings in order to facilitate higher levels of affordable housing, the Planning Director and
21 Department shall review each project for consistency with the Affordable Housing Bonus Design
22 Guidelines and any other applicable design guidelines, as adopted and periodically amended by the
23 Planning Commission, so that projects respond to their surrounding context, while still meeting the
24 City's affordable housing goals.

1 **(b) Applicability.** This Section 315.1 applies to all 100 Percent Affordable Housing Bonus
2 Projects that meet the requirements described in Section 206.4.

3 **(c) Design Review.** The Planning Department shall review and evaluate all physical aspects of
4 a 100 Percent Affordable Housing Bonus Project as follows.

5 **(1)** The Planning Director may, consistent with the Affordable Housing Bonus Program
6 Design Guidelines and any other applicable design guidelines, make minor modifications to a project
7 to reduce the impacts of a 100 Percent Affordable Housing Bonus Project on surrounding buildings.
8 The Planning Director may also apply the standards of Section 261.1 to bonus floors for all projects on
9 narrow streets and alleys in order to ensure that these streets do not become overshadowed, including
10 potential upper story setbacks, and special consideration for the southern side of East-West streets, and
11 Mid-block passages, as long as such setbacks do not result in a smaller number of residential units.

12 **(2)** As set forth in subsection (d) below, the Planning Director may also grant minor
13 exceptions to the provisions of this Code. However, such exceptions should only be granted to allow
14 building mass to appropriately shift to respond to surrounding context, and only when such
15 modifications do not substantially reduce or increase the overall building envelope permitted by the
16 Program under Section 206.4. All modifications and exceptions should be consistent with the
17 Affordable Housing Bonus Program Design Guidelines and any other applicable design guidelines. In
18 case of a conflict with other applicable design guidelines, the Affordable Housing Bonus Program
19 Design Guidelines shall prevail.

20 **(3)** The Planning Director may require these or other modifications or conditions in
21 order to achieve the objectives and policies of the Affordable Housing Bonus Program or the purposes
22 of this Code. This review shall be limited to design issues including the following:

23 **(A)** whether the bulk and massing of the building is consistent with the
24 Affordable Housing Bonus Design Guidelines.

1 (B) whether building design elements including, but not limited to, architectural
2 treatments, facade design, and building materials, are consistent with the Affordable Housing Bonus
3 Program Design Guidelines and any other applicable design guidelines.

4 (C) whether the design of lower floors, including building setback areas,
5 commercial space, townhouses, entries, utilities, and parking and loading access is consistent with the
6 Affordable Housing Bonus Program Design Guidelines, and any other applicable design guidelines.

7 (D) whether the required streetscape and other public improvements such as
8 tree planting, street furniture, and lighting are consistent with the Better Streets Plan, and any other
9 applicable design guidelines.

10 (d) Exceptions. As a component of the review process under this Section 315.1, the Planning
11 Director may grant minor exceptions to the provisions of this Code as provided below, in addition to
12 the development bonuses granted to the project in Section 206.4(c). Such exceptions, however, should
13 only be granted to allow building mass to appropriately shift to respond to surrounding context, and
14 only when the Planning Director finds that such modifications do not substantially reduce or increase
15 the overall building envelope permitted by the Program under Section 206.4, and the project, with the
16 modifications and exceptions, is consistent with the Affordable Housing Bonus Design Guidelines.
17 These exceptions may include:

18 (1) Exception from residential usable open space requirements per Section 135, or any
19 applicable special use district.

20 (2) Exception from satisfaction of loading requirements per Section 152.1, or any
21 applicable special use district.

22 (3) Exception for rear yards, pursuant to the requirements of Section 134, or any
23 applicable special use district.

24 (4) Exception from dwelling unit exposure requirements of Section 140, or any
25 applicable special use district.

1 (5) Exception from satisfaction of accessory parking requirements per Section 152.1,
2 or any applicable special use district.

3 (6) Where not specified elsewhere in this subsection (d), modification of other Code
4 requirements that could otherwise be modified as a Planned Unit Development (as set forth in Section
5 304), irrespective of the zoning district in which the property is located, and without requiring
6 conditional use authorization.

7 (e) **Required Findings.** In reviewing any project pursuant to this Section 315.1, the Planning
8 Director shall make the following findings:

9 (1) the use complies with the applicable provisions of this Code and is consistent with
10 the General Plan;

11 (2) the use provides development that is in conformity with the stated purpose of the
12 applicable Use District; and,

13 (3) the use contributes to the City's affordable housing goals as stated in the General
14 Plan.

15 (4) If a 100 Percent Affordable Housing Bonus Project otherwise would require a
16 conditional use authorization due only to (1) a specific land use or (2) a use size limit, the Planning
17 Director shall make all findings and consider all criteria required by this Code for such use or use size
18 as part of this 100 Percent Affordable Housing Bonus Project Authorization and no conditional use
19 authorization shall be required.

20 (f) **Decision and Imposition of Conditions.** The Planning Director may authorize, disapprove
21 or approve subject to conditions, the project and any associated requests for exceptions and shall make
22 appropriate findings. The Director may impose additional conditions, requirements, modifications, and
23 limitations on a proposed project in order to achieve the objectives, policies, and intent of the General
24 Plan or of this Code. This administrative review shall be identical in purpose and intent to any
25 Planning Commission review that would otherwise be required by Section 206.4 of the Planning Code.

1 (g) **Discretionary Review.** As long as the Planning Commission has delegated its authority to
2 the Planning Department to review applications for an Affordable Housing Project, the Planning
3 Commission shall not hold a public hearing for discretionary review of a 100 Percent Affordable
4 Housing Bonus project that is subject to this Section.

5 (h) **Appeals.** The Planning Director's administrative determination regarding a 100 Percent
6 Affordable Housing Bonus Project pursuant to this Section 315.1 shall be considered part of a related
7 building permit. Any appeal of such determination shall be made through the associated building
8 permit.

9
10 ~~**SEC. 328. 100 PERCENT AFFORDABLE HOUSING BONUS PROJECT AUTHORIZATION.**~~

11 ~~—(a) **Purpose.** The purpose of this Section 328 is to ensure that all 100 Percent Affordable~~
12 ~~Housing Bonus projects under Section 206.4 are reviewed in coordination with priority processing~~
13 ~~available for certain projects with 100 Percent affordable housing. While most projects in the 100~~
14 ~~Percent Affordable Housing Bonus Program will likely be somewhat larger than their surroundings in~~
15 ~~order to facilitate higher levels of affordable housing, the Planning Commission and Department shall~~
16 ~~ensure that each project is consistent with the Affordable Housing Bonus Design Guidelines and any~~
17 ~~other applicable design guidelines, as adopted and periodically amended by the Planning Commission,~~
18 ~~so that projects respond to their surrounding context, while still meeting the City's affordable housing~~
19 ~~goals.~~

20 ~~—(b) **Applicability.** This Section 328 applies to all qualifying 100 Percent Affordable Housing~~
21 ~~Bonus Projects that meet the requirements described in Section 206.4.~~

22 ~~—(c) **Planning Commission Design Review.** The Planning Commission shall review and~~
23 ~~evaluate all physical aspects of a 100 Percent Affordable Housing Bonus Project at a public hearing.~~
24 ~~The Planning Commission recognizes that most qualifying projects will need to be larger in height and~~
25 ~~mass than surrounding buildings in order to achieve the 100% Affordable Housing Bonus Program's~~

1 ~~affordable housing goals. However, the Planning Commission may, consistent with the Affordable~~
2 ~~Housing Bonus Program Design Guidelines, and any other applicable design guidelines, and upon~~
3 ~~recommendation from the Planning Director, make minor modifications to a project to reduce the~~
4 ~~impacts of such differences in scale. The Planning Commission, upon recommendation of the Planning~~
5 ~~Director, may also apply the standards of Section 261.1 to bonus floors for all projects on narrow~~
6 ~~streets and alleys in order to ensure that these streets do not become overshadowed, including potential~~
7 ~~upper story setbacks, and special consideration for the southern side of East-West streets, and Mid-~~
8 ~~block passages, as long as such setbacks do not result in a smaller number of residential units.~~

9 ~~— Additionally, as set forth in subsection (d) below, the Planning Commission may grant~~
10 ~~minor exceptions to the provisions of this Code. However, such exceptions should only be granted to~~
11 ~~allow building mass to appropriately shift to respond to surrounding context, and only when such~~
12 ~~modifications do not substantially reduce or increase the overall building envelope permitted by the~~
13 ~~Program under Section 206.4. All modifications and exceptions should be consistent with the~~
14 ~~Affordable Housing Bonus Program Design Guidelines and any other applicable design guidelines. In~~
15 ~~case of a conflict with other applicable design guidelines, the Affordable Housing Bonus Program~~
16 ~~Design Guidelines shall prevail.~~

17 ~~— The Planning Commission may require these or other modifications or conditions, or~~
18 ~~disapprove a project, in order to achieve the objectives and policies of the Affordable Housing Bonus~~
19 ~~Programs or the purposes of this Code. This review shall limited to design issues including the~~
20 ~~following:~~

21 ~~— (1) whether the bulk and massing of the building is consistent with the Affordable Housing~~
22 ~~Bonus Design Guidelines.~~

23 ~~— (2) whether building design elements including, but not limited to architectural treatments,~~
24 ~~facade design, and building materials, are consistent with the Affordable Housing Bonus Program~~
25 ~~Design Guidelines and any other applicable design guidelines.~~

1 ~~—(3) whether the design of lower floors, including building setback areas, commercial~~
2 ~~space, townhouses, entries, utilities, and parking and loading access is consistent with the Affordable~~
3 ~~Housing Bonus Program Design Guidelines, and any other applicable design guidelines.~~

4 ~~—(4) whether the required streetscape and other public improvements such as tree planting,~~
5 ~~street furniture, and lighting are consistent with the Better Streets Plan, and any other applicable~~
6 ~~design guidelines.~~

7 ~~—(d) Exceptions. As a component of the review process under this Section 328, the Planning~~
8 ~~Commission may grant minor exceptions to the provisions of this Code as provided for below, in~~
9 ~~addition to the development bonuses granted to the project in Section 206.4(e). Such exceptions,~~
10 ~~however, should only be granted to allow building mass to appropriately shift to respond to~~
11 ~~surrounding context, and only when the Planning Commission finds that such modifications do not~~
12 ~~substantially reduce or increase the overall building envelope permitted by the Program under Section~~
13 ~~206.4, and also are consistent with the Affordable Housing Bonus Design Guidelines. These exceptions~~
14 ~~may include:~~

15 ~~—(1) Exception from residential usable open space requirements per Section 135, or any~~
16 ~~applicable special use district.~~

17 ~~—(2) Exception from satisfaction of loading requirements per Section 152.1, or any~~
18 ~~applicable special use district.~~

19 ~~—(3) Exception for rear yards, pursuant to the requirements of Section 134, or any~~
20 ~~applicable special use district.~~

21 ~~—(4) Exception from dwelling unit exposure requirements of Section 140, or any applicable~~
22 ~~special use district.~~

23 ~~—(5) Exception from satisfaction of accessory parking requirements per Section 152.1, or~~
24 ~~any applicable special use district.~~

1 ~~—(6) Where not specified elsewhere in this subsection (d), modification of other Code~~
2 ~~requirements that could otherwise be modified as a Planned Unit Development (as set forth in Section~~
3 ~~304), irrespective of the zoning district in which the property is located.~~

4 ~~—(e) **Required Findings.** In its review of any project pursuant to this Section 328, the~~
5 ~~Planning Commission shall make the following findings:~~

6 ~~—(1) the use as proposed will comply with the applicable provisions of this Code and is~~
7 ~~consistent with the General Plan;~~

8 ~~—(2) the use as proposed will provide development that is in conformity with the stated~~
9 ~~purpose of the applicable Use District; and,~~

10 ~~—(3) the use as proposed will contribute to the City's affordable housing goals as stated in~~
11 ~~the General Plan.~~

12 ~~—(f) If a 100 Percent Affordable Housing Bonus Project otherwise requires a conditional use~~
13 ~~authorization due only to (1) a specific land use, (2) use size limit, or (3) requirement adopted by the~~
14 ~~voters, then the Planning Commission shall make all findings and consider all criteria required by this~~
15 ~~Code for such use or use size as part of this 100 Percent Affordable Housing Bonus Project~~
16 ~~Authorization.~~

17 ~~—(g) **Hearing and Decision.**~~

18 ~~—(1) **Hearing.** The Planning Commission shall hold a public hearing for all projects that are~~
19 ~~subject to this Section 328.~~

20 ~~—(2) **Notice of Hearing.** Notice of such hearing shall be provided pursuant to the same~~
21 ~~requirements for Conditional Use requests, as set forth in Section 306.3 and 306.8.~~

22 ~~—(3) **Director's Recommendations on Modifications and Exceptions.** At the hearing, the~~
23 ~~Planning Director shall review for the Commission key issues related to the project based on the~~
24 ~~review of the project pursuant to subsection (e) and recommend to the Commission modifications, if~~
25

1 ~~any, to the project and conditions for approval as necessary. The Director shall also make~~
2 ~~recommendations to the Commission on any proposed exceptions pursuant to subsection (d).~~

3 ~~—(4) Decision and Imposition of Conditions. The Commission, after public hearing and,~~
4 ~~after making appropriate findings, may approve, disapprove or approve subject to conditions, the~~
5 ~~project and any associated requests for exceptions. As part of its review and decision, the Planning~~
6 ~~Commission may impose additional conditions, requirements, modifications, and limitations on a~~
7 ~~proposed project in order to achieve the objectives, policies, and intent of the General Plan or of this~~
8 ~~Code.~~

9 ~~—(5) Appeal. The decision of the Planning Commission may be appealed to the Board of~~
10 ~~Supervisors by any person aggrieved within 30 days after the date of the decision by filing a written~~
11 ~~notice of appeal with the Board of Supervisors, setting forth wherein it is alleged that there was an~~
12 ~~error in the interpretation of the provisions of this Section or abuse of discretion on the part of the~~
13 ~~Planning Commission. The procedures and requirements for conditional use appeals in Section~~
14 ~~308.1(b) and (c) shall apply to appeals to the Board of Supervisors under this Section 328.~~

15 ~~—(6) Discretionary Review. No requests for discretionary review shall be accepted by the~~
16 ~~Planning Department or heard by the Planning Commission for projects subject to this Section.~~

17 ~~—(7) Change of Conditions. Once a project is approved, authorization of a change in any~~
18 ~~condition previously imposed by the Planning Commission shall require approval by the Planning~~
19 ~~Commission subject to the procedures set forth in this Section.~~

20
21 Section 4. The Planning Code is hereby amended by revising Sections 202.5, 302,
22 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311, 317, 329, 330.7, 1006.3, and 1111.4;
23 deleting Sections 306.10 and 312; and adding new Section 333 to read as follows:
24
25

1 **SEC 202.5. CONVERSION OF AUTOMOTIVE SERVICE STATIONS.**

2 * * * *

3 **(e) Criteria for Zoning Administrator Conversion Determination.** The Zoning
4 Administrator shall approve the application and authorize the service station conversion if the
5 Zoning Administrator determines from the facts presented that the owner of the subject
6 property is not earning a Fair Return on Investment, as defined in Section 102. The owner
7 shall bear the burden of proving that the owner is not earning a Fair Return on Investment.

8 (1) **Application.** A property owner's application under this Section shall be
9 signed by the owner or an authorized representative of the owner and, under penalty of
10 perjury, declared to contain true and correct information. The application shall be
11 accompanied by:

12 (A) An independent appraisal of the property stating its value;

13 (B) A written statement from an independent Certified Public Accountant
14 summarizing the applicant's financial records, including the property appraisal and stating the
15 return on investment calculated pursuant to Section 102;

16 (C) A certified statement from the Certified Public Accountant identifying
17 the owner of the property and the owner of the service station business;

18 (D) Such other financial information as the Zoning Administrator may
19 reasonably determine is necessary to make the determination provided for in this Section.

20 (2) **Rebuttable Presumption.** There shall be a rebuttable presumption that the
21 property owner is earning a Fair Return on Investment if the property owner has earned at
22 least a nine percent return on the property owner's total investment in the property for the 24-
23 month period immediately preceding the filing of the application, or in the case of a service
24 station business that ceased operations after October 12, 1989, for the 24-month period
25 immediately preceding the date the service station ceased operations. The property owner

1 may rebut this presumption by offering evidence demonstrating that because of special facts
2 regarding his or her property the property owner is not earning a Fair Return on Investment or
3 that because of special demonstrated circumstances the applicant would not earn a fair return
4 on investment from service station use during that 12-month period after the filing of the
5 service station conversion application.

6 (3) **Notice of Hearing.** Prior to conducting the hearing required by Subsection
7 (c)(1), the Zoning Administrator shall provide ~~written notice~~ public notification of the hearing
8 pursuant to the requirements of Section 333 of this Code. ~~to each property owner within 300 feet in~~
9 ~~every direction from the service station, as shown in the last equalized assessment roll, such notice to~~
10 ~~be mailed at least 10 days before the hearing. The applicant also shall provide posted notice in a~~
11 ~~visible location on the service station site at least 20 days before the hearing.~~

12 (4) **Determination.** The Zoning Administrator shall render written determination
13 within 60 days of the hearing.

14 (5) **Consultation With Other City Departments.** If necessary, the Zoning
15 Administrator shall have the authority to consult with or retain the assistance of the staffs of
16 the Department of Public Works, Real Estate Department, and Mayor's Office of Workforce
17 and Economic Development in the review of applications for service station conversion.

18 * * * *

19 20 **SEC. 302. PLANNING CODE AMENDMENTS.**

21 (a) **General.** Whenever the public necessity, convenience and general welfare
22 require, the Board of Supervisors may, by ordinance, amend any part of this Code. Such
23 amendments may include reclassifications of property (changes in the Zoning Map), changes
24 in the text of the Code, or establishment, abolition or modification of a setback line. The
25

1 procedures for amendments to the Planning Code shall be as specified in this Section and in
2 Sections 306 through 306.6, *and in Section 333.*

3 * * * *

4 (d) **Referral of Proposed Text Amendments to the Planning Code Back to**
5 **Planning Commission.** In acting upon any proposed amendment to the text of the Code, the
6 Board of Supervisors may modify said amendment but shall not take final action upon any
7 material modification that has not been approved or disapproved by the Planning
8 Commission. Should the Board adopt a motion proposing to modify the amendment while it is
9 before said Board, said amendment and the motion proposing modification shall be referred
10 back to the Planning Commission for its consideration. In all such cases of referral back, the
11 amendment and the proposed modification shall be heard by the Planning Commission
12 according to the requirements for a new proposal, except that ~~newspaper~~ online notice required
13 under Section ~~306.3333~~ need be given only 10 days prior to the date of the hearing. The
14 motion proposing modification shall refer to, and incorporate by reference, a proposed
15 amendment approved by the City Attorney as to form.

16
17 **SEC. 303. CONDITIONAL USES.**

18 * * * *

19 (f) **Conditional Use Abatement.** The Planning Commission may consider the
20 possible revocation of a Conditional Use or the possible modification of or placement of
21 additional conditions on a Conditional Use when the Planning Commission determines, based
22 upon substantial evidence, that the applicant for the Conditional Use had submitted false or
23 misleading information in the application process that could have reasonably had a substantial
24 effect upon the decision of the Commission or the Conditional Use is not in compliance with a
25 Condition of Approval, is in violation of law if the violation is within the subject matter

jurisdiction of the Planning Commission, or operates in such a manner as to create hazardous, noxious, or offensive conditions enumerated in Section 202(c) if the violation is within the subject matter jurisdiction of the Planning Commission and these circumstances have not been abated through administrative action of the Director, the Zoning Administrator or other City authority. Such consideration shall be the subject of a public hearing before the Planning Commission but no fee shall be required of the applicant or the subject Conditional Use operator.

(1) **Public Hearing.** The Director of Planning or the Planning Commission may schedule a public hearing on Conditional Use abatement when the Director or Commission has obtained or received (A) substantial evidence submitted within one year of the effective date of the Conditional Use authorization that the applicant for the Conditional Use had submitted false or misleading information in the application process that could have reasonably had a substantial effect upon the decision of the Commission or (B) substantial evidence, submitted or received at any time while the Conditional Use authorization is effective, of a violation of conditions of approval, a violation of law, or operation which creates hazardous, noxious or offensive conditions enumerated in Section 202(c).

(2) **Notification.** The notice for the public hearing on a Conditional Use abatement shall be subject to the notification procedure described in Sections ~~306.3 and 306.8~~ 333 of this Code. ~~except that notice to the property owner and the operator of the subject establishment or use shall be mailed by regular and certified mail.~~

* * * *

SEC 303.1 FORMULA RETAIL USES.

* * * *

(g) **Neighborhood Notification and Design Review.** Any application for a Formula Retail use as defined in this section shall be subject to the notification and review procedures

1 of ~~subsections 312(d) and (e)~~ Section 333 of this Code. ~~A Conditional Use hearing on an application~~
2 ~~for a Formula Retail use may not be held less than 30 calendar days after the date of mailed notice.~~

3 * * * *

4 **SEC. 305.1 REQUESTS FOR REASONABLE MODIFICATION – RESIDENTIAL USES.**

5 * * * *

6 (e) **All Other Requests for Reasonable Modification – Zoning Administrator**
7 **Review and Approval.**

8 (1) **Standard Variance Procedure – With Hearing.** Requests for reasonable
9 modifications that do not fall within Subsection (d) shall be considered by the Zoning
10 Administrator, who will make the final decision through the existing variance process
11 described in Section 305.

12 (2) **Public Notice of a Request for Reasonable Modification.** Notice for
13 reasonable modifications that fall with subsection (e)(1) are subject to the notice requirements
14 of Section ~~306-333~~ of this Code. If the request for reasonable modification is part of a larger
15 application, then the noticing can be combined.

16 * * * *

17
18 **SEC 306.3. NOTICE OF HEARINGS.**

19 (a) Except as indicated in subsection (b) below, notice of the time, place and purpose
20 of the hearing on action for an amendment to the Planning Code or General Plan, Conditional
21 Use or a Variance shall be given by the Zoning Administrator pursuant to the requirements of
22 Section 333 of this Code as follows:

23 _____ (1) By mail to the applicant or other person or agency initiating the action;

24 _____ (2) By mail, except in the case of proposed amendments to change the text of the Code,
25 not less than 20 days prior to the date of the hearing to the owners of all real property within the area

1 that is the subject of the action and within 300 feet of all exterior boundaries of such area, using for
2 this purpose the names and addresses of the owners as shown on the latest citywide assessment roll in
3 the Office of the Tax Collector. Failure to send notice by mail to any such property owner where the
4 address of such owner is not shown on such assessment roll shall not invalidate any proceedings in
5 connection with such action;

6 _____ (3) By publication, except in Variance cases, at least once in a newspaper of general
7 circulation in the City not less than 20 days prior to the date of the hearing;

8 _____ (4) Such other notice as the Zoning Administrator shall deem appropriate.

9 (b) In the case of Variance applications involving a less than 10% deviation as
10 described in Section 305(c), the Zoning Administrator need give only such notice as the
11 Zoning Administrator deems appropriate in cases in which a hearing is actually held.

12 (2) In the case of amendments to reclassify land on the basis of general zoning studies
13 for one or more zoning districts, which studies either are citywide in scope or cover a major subarea of
14 the City, as determined by the Planning Commission, and where the total area of land so proposed for
15 reclassification, excluding the area of public streets and alleys, is 30 acres or more, the notice given
16 shall be as described in Subsection (a) above, except that:

17 _____ (A) The newspaper notice shall be published as an advertisement in all editions of such
18 newspaper, and need contain only the time and place of the hearing and a description of the general
19 nature of the proposed amendment together with a map of the area proposed for reclassification.

20 _____ (B) The notice by mail need contain only the time and place of the hearing and a
21 general description of the boundaries of the area proposed for reclassification.

22 _____ (3) In the case of amending the General Plan, notice shall be given by an
23 advertisement at least once in a newspaper of general circulation in the City not less than 20 days prior
24 to the hearing. The advertisement shall contain the time and place of the hearing and a description of
25 the general nature of the proposed amendment and, if applicable, a map of the affected area.

1 ~~(e) In addition to any other information required by the Planning Department, the Zoning~~
2 ~~Administrator and the Planning Commission, any notice required by this Section of an application for a~~
3 ~~Conditional Use or Variance which proposes a Commercial Use for the subject property shall disclose~~
4 ~~the name under which business will be, or is expected to be, conducted at the subject property, as~~
5 ~~disclosed in the permit application pursuant to Section 306.1(e), if the business name is known at the~~
6 ~~time notice is given. If the business name becomes known to the applicant during the notice period, the~~
7 ~~applicant promptly shall amend the notice to disclose such business name and the Department shall~~
8 ~~disseminate all the various required hearing notices again with the disclosed name and allow the~~
9 ~~prescribed time between the date of the notice and the date of the hearing.~~

11 SEC 306.7. INTERIM ZONING CONTROLS.

12 * * * *

13 (g) **Notice.** Notice of the time and place of a public hearing on interim zoning controls
14 before the Planning Commission if the Planning Commission initiates the controls, or before
15 the Board of Supervisors or a committee of the Board if a member of the Board initiates the
16 controls, shall be provided pursuant to the requirements of Section 333 of this Code, and such other
17 notice as the Clerk of the Board or the Zoning Administrator may deem appropriate. . . as follows:

18 (1) By publication at least once in an official newspaper of general circulation in the City not
19 less than nine days prior to the date of hearing;

20 (2) By posting at the office of the Board of Supervisors and the Planning Department nine days
21 prior to the date of hearing; and

22 (3) By mail to the applicant or other person or agency initiating the proposed interim control;
23 and

24 (4) By mail, if the area is 30 acres or less, exclusive of streets, alleys, and other public property,
25 sent at least 10 days prior to the date of the hearing, to the owners of real property within the area that

1 ~~is the subject of the proposed interim zoning controls and within 300 feet of the exterior boundaries of~~
2 ~~that area when the controls would reclassify land or establish, abolish or modify a setback line, using~~
3 ~~for this purpose the names and addresses of the owners shown on the latest citywide assessment roll in~~
4 ~~the Assessor's office. Failure to send notice by mail to any such property owner where the address of~~
5 ~~such owner is not shown on such assessment roll shall not invalidate any proceedings in connection~~
6 ~~with the position of interim zoning controls;~~

7 ~~(5) Such other notice as the Clerk of the Board or the Zoning Administrator may deem~~
8 ~~appropriate.~~

9 Notice of a public hearing by the Board of Supervisors or a committee of the Board for
10 the ratification or disapproval of interim controls imposed by the Planning Commission shall
11 be given pursuant to ~~Subsections (1), (2), (3) and (5) of the requirements of~~ this Subsection.

12 ~~Notices posted or published pursuant to the provisions of this ordinance shall contain a~~
13 ~~description of the general nature of the proposed interim zoning controls, and a description of the~~
14 ~~boundaries of the affected area if the controls would not be applicable citywide, and the time and place~~
15 ~~of the hearing.~~ The body imposing the interim zoning controls may not enlarge the area
16 affected by the proposed amendment or modify the proposed amendment in a manner that
17 places greater restrictions on the use of property unless notice is first provided in accordance
18 with the provisions of this Subsection and a hearing is provided on the modifications. Notice
19 may be provided pursuant to the provisions of this Subsection (g) prior to the completion of
20 the environmental review process.

21 * * * *

23 **SEC. 306.8. POSTING OF SIGNS REQUIRED.**

24 (a) **Hearings for Which Notice Required.** In addition to the requirements for notice
25 provided elsewhere in this Code, the requirements for notice set forth in this Section shall

1 apply to hearings before the Planning Commission or the Zoning Administrator (1) on an
2 application for a conditional use or variance, (2) for every amendment to reclassify property
3 initiated by application as permitted in Section 302(b) where the area sought to be reclassified
4 is ½ acre or less (exclusive of streets, alleys and other public property) and where the
5 applicant owns all or a portion of the property to be reclassified or is a resident or commercial
6 lessee thereof, (3) for any permit application or project authorization application reviewed
7 pursuant to Sections 309 or 322, and (4) for any application for a building or site permit
8 authorizing a new building the consideration or approval of which is scheduled before the
9 Planning Commission. This Section shall not apply to variance applications involving a less
10 than 10 percent deviation as described in Section 305(c) or to hearings or actions relating to
11 environmental review.

12 (b) **Signposting Requirements.** Hearings that are required to be noticed pursuant to this
13 section 306.8 shall provide notice pursuant to the requirements of section 333 of this Code. At least 20
14 days prior to a hearing governed by this section (other than a hearing on a reclassification, which shall
15 not be subject to this subsection), the applicant shall post a sign on the property that is the subject of
16 the application through the date of the hearing; provided, however, that if the date of the hearing is
17 continued four weeks or more, the sign need not remain posted and the applicant will thereafter be
18 subject only to such posting requirements as directed by the Zoning Administrator; and, provided
19 further, that signs for applications described in Subsection (a)(4) need only be posted at least 10 days
20 prior to the hearing, subject to the provisions regarding continued hearings set forth herein. The sign
21 shall meet the following requirements:

22 (1) It shall be posted inside of windows which are no more than six feet back from the property
23 line, where the windows are of sufficient size to accommodate the sign. The bottom of the sign shall be
24 no lower than four feet above grade and the top of the sign shall be no higher than eight feet six inches
25

1 above grade. The sign shall not be obstructed by awnings, landscaping, or other impediment and shall
2 be clearly visible from a public street, alley or sidewalk.

3 (2) In the absence of windows meeting the above criteria, where the building facade is no more
4 than nine feet back from the property line, the sign shall be affixed to the building, with the bottom of
5 the sign being at least five feet above grade and the top of the sign being no more than seven feet six
6 inches above grade. The sign shall be protected from the weather as necessary. The sign shall not be
7 obstructed by awnings, landscaping, or other impediment, and shall be clearly visible from a public
8 street, alley or sidewalk.

9 (3) Where the structure is more than nine feet from the property line, the sign shall be posted
10 at the property line with the top of the sign no more than six feet and no less than five feet above grade.
11 Such signs shall be attached to standards and shall be protected from the weather as necessary.

12 The requirements of Subsections (1) through (3) of this subsection may be modified upon a
13 determination by the Zoning Administrator that a different location for the sign would provide better
14 notice or that physical conditions make this requirement impossible or impractical, in which case the
15 sign shall be posted as directed by the Zoning Administrator.

16 (c) Contents and Size of Signs. The sign shall be at least 30 inches by 30 inches, unless the
17 application relates to a vacant site or vacant building, in which case the Zoning Administrator may
18 require a sign up to eight feet wide and four feet high upon a determination that the larger sign will
19 provide better public notice. The sign shall be entitled NOTICE OF ZONING HEARING. The lettering
20 shall be at least 1¼ inch capital letters for the title. All other letters shall be at least ¾ inch uppercase
21 and ½ inch lower case. The sign shall provide notice of the case number, the time, date, location and
22 purpose of the public hearing, a description of the proposed project, and the procedure for obtaining
23 additional information.

24 Every person subject to the requirements of this Section shall obtain from the Planning
25 Department the sign on submission of application which is to be posted, and shall provide such

1 additional information on the sign as required by this Section and any written directions provided by
2 the Zoning Administrator; provided, however, that where the Zoning Administrator requires a sign
3 larger than 30 by 30 inches, the applicant shall provide the sign. The Department shall charge a fee to
4 applicants in an amount determined appropriate to cover the cost of providing the sign.

5 When the application is for a planned unit development, the sign shall contain a plot plan of the
6 property containing the following information:

7 (i) The names of all immediately adjacent streets or alleys;

8 (ii) A building footprint of the proposed project (new construction cross hatched) outlined in
9 bold lines so as to clearly identify the location in relation to the property lines;

10 (iii) An arrow indicating north.

11 **(dc) Notice of Reclassification by Zoning Administrator.** The Zoning Administrator
12 shall post signs providing notice of proposed reclassifications that are subject to this section
13 pursuant to the requirements of section 333 of this Code. at least 10 days prior to the hearing. The
14 signs shall be posted in the area of the proposed reclassification and within 300 feet of such area. The
15 signs shall identify the applicant and the current and proposed zoning classification and shall contain a
16 map with the proposed reclassification area outlined in bold lines so as to clearly identify its
17 boundaries and with the names of all streets or alleys immediately adjacent to the proposed
18 reclassification area identified. The signs so posted shall be at least 8½ by 10½ inches. Compliance
19 with this subsection shall be met if at least one notice is posted in proximity to each street intersection
20 in the area that is the subject of the proposed reclassification and within 300 feet of such area. The
21 Zoning Administrator shall determine the cost to the City in providing the notice required by this
22 subsection and shall notify the applicant upon making that determination. The notice required by this
23 subsection shall be provided by the Zoning Administrator only upon payment of such costs by the
24 applicant.

1 (*ed*) **Declaration Required; Failure to Comply.** The applicant, other than an
2 applicant for a reclassification, shall submit at the time of the hearing a declaration signed
3 under penalty of perjury stating that the applicant has complied with the provisions of this
4 Section. If any person challenges the applicant's compliance with this Section, the
5 Commission or, as to variance hearings the Zoning Administrator, shall determine whether the
6 applicant has substantially complied and, if not, shall continue the hearing for that purpose. A
7 challenge may be raised regarding compliance with the provisions of this Section by any
8 person after the hearing by filing a written statement with the Zoning Administrator, or such
9 challenge may be raised by the Zoning Administrator, but no challenge may be filed or raised
10 later than 30 days following Commission action, or as to variance hearings 10 days following
11 the decision. If no challenge is filed within the time required, it shall be deemed conclusive
12 that the applicant complied with the provisions of this Section. If it is determined, after a
13 hearing for which at least five days' notice has been given to the person filing the challenge
14 and the applicant, that the applicant has not substantially complied with the provisions of this
15 Section, the action of the Planning Commission or the Zoning Administrator shall be deemed
16 invalid and the matter shall be rescheduled for hearing after the required notice has been
17 given. Notwithstanding any other provision of this Section, an application may be denied if
18 continuance or delay of action on the application would result in an application being deemed
19 approved pursuant to Government Code Sections 65920 *et seq.*

20 (*ef*) **Permission to Enter Property.** Every person who has possession of property
21 which is the subject of an application subject to this Section shall permit entry at a reasonable
22 time to an applicant who is seeking entry in order to allow the posting of the sign required
23 herein and no such person shall remove or cause the removal of such sign during the period
24 of time that posing is required herein and without reasonable cause to believe that such
25 removal is necessary in order to protect persons or property from injury.

1 (f g) **Rights Affected.** The requirements of this Section are not intended to give any
2 right to any person to challenge in any administrative or judicial proceeding any action if such
3 person would not otherwise have the legal right to do so.

4
5 **SEC. 306.9. NOTICE OF APPLICATIONS FOR BUILDING PERMITS FOR SUTRO TOWER.**

6 * * * *

7 (c) **Notification.** Upon determination that an application is in compliance with the
8 requirements of the Planning Code, the Planning Department shall provide public notification
9 pursuant to the requirements of section 333 of this Code, except that no posted notice shall be required,
10 and that the mailed notice shall be mailed to all owners and, to the extent practicable, occupants of
11 properties within a 1,000 foot radius of the property line of the Sutro Tower site. ~~cause a written notice~~
12 of the proposed project to be sent in the manner described below. This notice shall be in addition to
13 any notices required by the Building Code and in addition to other requirements for notice
14 provided elsewhere in this Code.

15 ~~The notice shall have a format and content determined by the Zoning Administrator. At a~~
16 ~~minimum, it shall describe the proposed project and the project review process, and shall set forth the~~
17 ~~mailing date of the notice.~~

18 ~~Written notice shall be sent to all property owners and to each residential unit within a 1,000~~
19 ~~foot radius of the property line of the Sutro Tower site. The latest city wide Assessor's roll for names~~
20 ~~and addresses of owners shall be used for said notice. Notice shall also be sent to any neighborhood~~
21 ~~organization on record with the Department as requesting notice of building permits for Sutro Tower.~~

22
23 **~~SEC. 306.10. MULTIPLE LANGUAGE REQUIREMENT FOR NOTICES.~~**

24 (a) ~~Applicability.~~ In addition to the notice requirements set forth elsewhere in this
25

1 ~~Code, the requirements of this section shall apply to the mailed notices that are required by the~~
2 ~~following sections of the Planning Code: Sections 202.5(e)(3), 304.5(d), 306.3, 306.7(g), 306.9(e),~~
3 ~~309(e) through 309(h), 311, 312, 313.4(b), 314.4(a), 330.7, and any other section of the Planning Code~~
4 ~~that requires a notice to be mailed or personally served to property owners or occupants adjacent to or~~
5 ~~near a property for which Planning Department development approval is sought.~~

6 ~~(b) **Definitions.** The following definitions shall apply for the purposes of this section:~~

7 ~~—— (1) **Dedicated Telephone Number** means a telephone number for a recorded message in a~~
8 ~~Language of Limited English Proficient Residents. The recorded message shall advise callers as to~~
9 ~~what information they should leave on the message machine so that the Department may return the call~~
10 ~~with information about the notice in the requested language.~~

11 ~~—— (2) **Language of Limited English Proficient Residents** means each of the two languages other~~
12 ~~than English spoken most commonly by San Francisco residents of limited English proficiency as~~
13 ~~determined by the Planning Department based on its annual review of United States census and other~~
14 ~~data as required by San Francisco Administrative Code Section 91.2(j).~~

15 ~~(c) **Multiple Language Statement in Notices.** The Planning Department shall~~
16 ~~prepare a cover sheet as specified below and include it with each notice of the type listed in subsection~~
17 ~~(a). The cover sheet shall contain the following statement, printed in each Language of Limited English~~
18 ~~Proficient Residents and, to the extent available Department resources allow, such other languages~~
19 ~~that the Department determines desirable, with the name of the language in which the statement is~~
20 ~~made, the time period for a decision on the matter and the Dedicated Telephone Number for the~~
21 ~~language of the statement inserted in the appropriate blank spaces:~~

22 ~~—— "The attached notice is provided under the Planning Code. It concerns property located at the~~
23 ~~address shown on the attached notice. A hearing may occur, a right to request review may expire or a~~
24 ~~development approval may become final unless appealed within [insert days until a hearing or~~
25 ~~deadline for requesting review or appealing decision]. To obtain information about this notice in~~

1 ~~[insert name of language], please call [insert Dedicated Telephone Number]. Please be advised that~~
2 ~~the Planning Department will require at least one business day to respond to any call. Provision of~~
3 ~~information in [insert name of language] is provided as a service by the Planning Department and does~~
4 ~~not grant any additional rights or extend any time limits provided by applicable law."~~

5 ~~—The Department shall maintain a Dedicated Telephone Number for each Language of Limited~~
6 ~~English Proficient Residents. The Department shall place a return telephone call by the end of the~~
7 ~~following business day to each person who leaves a message concerning a neighborhood notice at a~~
8 ~~Dedicated Telephone Number, and when the caller is reached, provide information to the caller about~~
9 ~~the notice in the language spoken by the caller.~~

10
11 **SEC. 311. ~~RESIDENTIAL PERMIT REVIEW PROCEDURES FOR RH, RM, AND RTO~~**
12 **~~DISTRICTS.~~**

13 (a) **Purpose.** The purpose of this Section is to establish procedures for reviewing
14 building permit applications ~~for lots in R Districts in order to~~ determine compatibility of the
15 proposal with the neighborhood and for providing notice to property owners and residents on
16 the site and neighboring the site of the proposed project and to interested neighborhood
17 organizations, so that concerns about a project may be identified and resolved during the
18 review of the permit.

19 (b) **Applicability.** Except as indicated herein, all building permit applications in
20 Residential, NC, NCT, and Eastern Neighborhoods Districts for a change of use; establishment of a
21 Micro Wireless Telecommunications Services Facility; establishment of a Formula Retail Use;
22 demolition, and/or new construction, and/or alteration of residential buildings; and including the
23 removal of an authorized or unauthorized residential unit, in RH, RM, and RTO Districts shall be
24 subject to the notification and review procedures required by this Section 311. Subsection 311(e)
25 regarding demolition permits and approval of replacement structures shall apply to all R Districts. In

1 addition, all building permit applications that would establish Cannabis Retail or Medical Cannabis
2 Dispensary Uses, regardless of zoning district, shall be subject to the review procedures required by
3 this Section 311. Notwithstanding the foregoing or any other requirement of this Section 311, a change
4 of use to a Child Care Facility, as defined in Section 102, shall not be subject to the review
5 requirements of this Section 311.

6 (1) Change of Use. For the purposes of this Section 311, a change of use is defined as
7 follows:

8 (A) Residential, NC and NCT Districts. For all Residential, NC, and NCT
9 Districts, a change of use is defined as a change to, or the addition of, any of the following land uses as
10 defined in Section 102 of this Code: Adult Business, Bar, Cannabis Retail, Group Housing, Liquor
11 Store, Medical Cannabis Dispensary, Nighttime Entertainment, Outdoor Activity Area, Post-Secondary
12 Educational Institution, Private Community Facility, Public Community Facility, Religious Institution,
13 School, Tobacco Paraphernalia Establishment, and Wireless Telecommunications Facility.

14 (B) Eastern Neighborhood Districts. In all Eastern Neighborhood Districts a
15 change of use shall be defined as a change in, or addition of, a new land use category. A "land use
16 category" shall mean those categories used to organize the individual land uses that appear in the use
17 tables, immediately preceding a group of individual land uses, including but not limited to the
18 following: Residential Use; Institutional Use; Retail Sales and Service Use; Assembly, Recreation, Arts
19 and Entertainment Use; Office Use; Live/Work Units Use; Motor Vehicle Services Use; Vehicle
20 Parking Use; Industrial Use; Home and Business Service Use; or Other Use.

21 (2) Alterations. For the purposes of this Section, an alteration in RH and RM
22 Districts shall be defined as an increase to the exterior dimensions of a building except those features
23 listed in Section 136(c)(1) through 136(c)(26) in districts where those sections apply. any change in
24 use; In addition, an alteration in RH, RM, and RTO Districts shall also include the removal of more
25 than 75 percent of a residential building's existing interior wall framing or the removal of more

1 than 75 percent of the area of the existing framing, ~~or an increase to the exterior dimensions of a~~
2 ~~residential building except those features listed in Section 136(e)(1) through 136(e)(24) and 136(e)(26).~~
3 ~~Notwithstanding the foregoing or any other requirement of this Section 311, a change of use to a Child~~
4 ~~Care Facility, as defined in Section 102, shall not be subject to the notification requirements of this~~
5 ~~Section 311.~~

6 ~~(2) For the purposes of this Section, an alteration in RTO Districts shall be defined as a~~
7 ~~change of use described in Section 312(e), removal of more than 75 percent of a building's existing~~
8 ~~interior wall framing or the removal of more than 75 percent of the area of the existing framing, or an~~
9 ~~increase to the exterior dimensions of a building except those features listed in Section 136(e)(1)~~
10 ~~through 136(e)(24) and 136(e)(26). Notwithstanding the foregoing or any other requirement of this~~
11 ~~Section 311, a change of use to a Child Care Facility, as defined in Section 102, shall not be subject to~~
12 ~~the notification requirements of this Section 311.~~

13 (3) **Micro Wireless Telecommunications Services Facilities.** Building permit
14 applications for the establishment of a Micro Wireless Telecommunications Services Facility, other
15 than a Temporary Wireless Telecommunications Services Facility, shall be subject to the review
16 procedures required by this Section. Pursuant to Section 205.2, applications for Temporary Wireless
17 Telecommunications Facilities to be operated for commercial purposes for more than 90 days shall
18 also be subject to the review procedures required by this Section.

19 (c) **Building Permit Application Review for Compliance and Notification.** Upon
20 acceptance of any application subject to this Section, the Planning Department shall review
21 the proposed project for compliance with the Planning Code and any applicable design
22 guidelines approved by the Planning Commission. Applications determined not to be in
23 compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, Residential
24 Design Guidelines, including design guidelines for specific areas adopted by the Planning
25 Commission, or with any applicable conditions of previous approvals regarding the project,

1 shall be held until either the application is determined to be in compliance, is disapproved or a
2 recommendation for cancellation is sent to the Department of Building Inspection.

3 (1) **Residential Design Guidelines.** The construction of new residential
4 buildings and alteration of existing residential buildings in R Districts shall be consistent with
5 the design policies and guidelines of the General Plan and with the "Residential Design
6 Guidelines" as adopted and periodically amended for specific areas or conditions by the
7 Planning Commission. The design for new buildings with residential uses in RTO Districts
8 shall also be consistent with the design standards and guidelines of the "Ground Floor
9 Residential Units Design Guidelines" as adopted and periodically amended by the Planning
10 Commission. The Planning Director may require modifications to the exterior of a proposed
11 new residential building or proposed alteration of an existing residential building in order to
12 bring it into conformity with the "Residential Design Guidelines" and with the General Plan.
13 These modifications may include, but are not limited to, changes in siting, building envelope,
14 scale texture and detailing, openings, and landscaping.

15 (2) **Removal of Residential Units.** When removal or elimination of an authorized or
16 unauthorized residential unit is proposed, the Applicant shall provide notice as required in Section 333
17 of this Code. The Zoning Administrator shall determine any additional notification procedures to be
18 applied in such a case.

19 (3) **Replacement Structure Required.** Unless the building is determined to pose a
20 serious and imminent hazard as defined in the Building Code, an application authorizing demolition in
21 any R District of an historic or architecturally important building or of a dwelling shall not be
22 approved and issued until the City has granted final approval of a building permit for construction of
23 the replacement building. A building permit is finally approved if the Board of Appeals has taken final
24 action for approval on an appeal of the issuance or denial of the permit or if the permit has been issued
25 and the time for filing an appeal with the Board has lapsed with no appeal filed.

1 (A) The demolition of any building, including but not limited to historically and
2 architecturally important buildings, may be approved administratively when the Director of the
3 Department of Building Inspection, the Chief of the Bureau of Fire Prevention and Investigation, or the
4 Director of Public Works determines, after consultation with the Zoning Administrator, that an
5 imminent safety hazard exists, and the Director of the Department of Building Inspection determines
6 that demolition or extensive alteration of the structure is the only feasible means to secure the public
7 safety.

8 **(2d) Notification.** Upon determination that an application is in compliance with the
9 development standards of the Planning Code, the Planning Department shall provide ~~cause a~~
10 notice of the proposed project pursuant to the requirements of Section 333 of this Code. ~~to be posted~~
11 ~~on the site pursuant to rules established by the Zoning Administrator and shall cause a written notice~~
12 ~~describing the proposed project to be sent in the manner described below. This notice shall be in~~
13 ~~addition to any notices required by the Building Code and shall have a format and content determined~~
14 ~~by the Zoning Administrator. It shall include a description of the proposal compared to any existing~~
15 ~~improvements on the site with dimensions of the basic features, elevations and site plan of the proposed~~
16 ~~project including the position of any adjacent buildings, exterior dimensions and finishes, and a~~
17 ~~graphic reference scale. The notice shall describe the project review process and shall set forth the~~
18 ~~mailing date of the notice and the expiration date of the notification period.~~

19 ~~— Written notice shall be mailed to the notification group which shall include the project sponsor,~~
20 ~~tenants of the subject property, relevant neighborhood organizations as described in~~
21 ~~Subparagraph 311(e)(2)(C) below, all individuals having made a written request for notification for a~~
22 ~~specific parcel or parcels pursuant to Planning Code Section 351 and all owners and, to the extent~~
23 ~~practical, occupants, of properties in the notification area. For the purposes of Section 311(g) below,~~
24 ~~written notice shall also be mailed to tenants of the subject property in authorized residential units.~~

1 ~~— (A) The notification area shall be all properties within 150 feet of the subject lot in the same~~
2 ~~Assessor's Block and on the block face across from the subject lot. When the subject lot is a corner lot,~~
3 ~~the notification area shall further include all property on both block faces across from the subject lot,~~
4 ~~and the corner property diagonally across the street.~~

5 ~~— (B) The latest City wide Assessor's roll for names and addresses of owners shall be used for said~~
6 ~~notice.~~

7 ~~— (C) The Planning Department shall maintain a list, available for public review, of neighborhood~~
8 ~~organizations which have indicated an interest in specific properties or areas. The organizations~~
9 ~~having indicated an interest in the subject lot or its area shall be included in the notification group for~~
10 ~~the proposed project.~~

11 ~~— (3) Notification Period. All building permit applications shall be held for a period of 30 calendar~~
12 ~~days from the date of the mailed notice to allow review by residents and owners of neighboring~~
13 ~~properties and by neighborhood groups.~~

14 ~~— (4) Elimination of Duplicate Notice. The notice provisions of this Section may be waived by the~~
15 ~~Zoning Administrator for building permit applications for projects that have been, or before approval~~
16 ~~will be, the subject of a duly noticed public hearing before the Planning Commission or Zoning~~
17 ~~Administrator, provided that the nature of work for which the building permit application is required is~~
18 ~~both substantially included in the hearing notice and is the subject of the hearing.~~

19 ~~— (5) Notification Package. The notification package for a project subject to notice under this~~
20 ~~Section 311 shall include a written notice and reduced size drawings of the project.~~

21 ~~— (A) The written notice shall compare the proposed project to the existing conditions at the~~
22 ~~development lot. Change to basic features of the project that are quantifiable shall be disclosed on the~~
23 ~~written notice. The basic features of existing and proposed conditions shall include, where applicable,~~
24 ~~front setback, building depth, rear yard depth side setbacks, building height, number of stories,~~
25 ~~dwelling unit count and use of the building.~~

1 ~~—— (B) The written notice shall describe whether the project is a demolition, new construction or~~
2 ~~alteration project. If the project is an alteration, the type of alteration shall be described: horizontal,~~
3 ~~vertical or both horizontal and vertical additions and where the alteration is located.~~

4 ~~—— (C) Written project description shall be part of the notice. In addition, the notice shall describe~~
5 ~~the project review process, information on how to obtain additional information and the contact~~
6 ~~information of the Planning Department.~~

7 ~~—— (D) The building permit application number(s) shall be disclosed in the written notice. The start~~
8 ~~and expiration dates of the notice shall be stated. A description about the recipient's rights to request~~
9 ~~additional information, to request Discretionary Review by the Planning Commission and to appeal to~~
10 ~~other boards or commissions shall be provided.~~

11 ~~—— (E) 11x17 sized or equivalent drawings to scale shall be included with the Section 311 written~~
12 ~~notice. The drawings shall illustrate the existing and proposed conditions in relationship to the~~
13 ~~adjacent properties. All dimensions and text throughout the drawings shall be legible. The drawings~~
14 ~~shall include a site plan, floor plans and elevations documenting dimensional changes that correspond~~
15 ~~to the basic features included in the written notice.~~

16 ~~—— (F) The existing and proposed site plan shall illustrate the project including the full lots and~~
17 ~~structures of the directly adjacent properties.~~

18 ~~—— (G) The existing and proposed floor plans shall illustrate the location and removal of interior~~
19 ~~and exterior walls. The use of each room shall be labeled. Significant dimensions shall be provided to~~
20 ~~document the change proposed by the project.~~

21 ~~—— (H) The existing and proposed elevations shall document the change in building volume: height~~
22 ~~and depth. Dimensional changes shall be documented, including overall building height and also~~
23 ~~parapets, penthouses and other proposed vertical and horizontal building extensions. The front and~~
24 ~~rear elevations shall include the full profiles of the adjacent structures including the adjacent~~
25 ~~structures' doors, windows and general massing. Each side elevation shall include the full profile of the~~

1 ~~adjacent building in the foreground of the project, and the adjacent windows, lightwells and general~~
2 ~~massing shall be illustrated.~~

3 ~~(de)~~ **Requests for Planning Commission Review.** A request for the Planning
4 Commission to exercise its discretionary review powers over a specific building permit
5 application shall be considered by the Planning Commission if received by the Planning
6 Department no later than 5:00 p.m. of the last day of the notification period as described
7 under Section 333 Subsection (e)(3) above, subject to guidelines adopted by the Planning
8 Commission. The project sponsor of a building permit application may request discretionary
9 review by the Planning Commission to resolve conflicts between the Director of Planning and
10 the project sponsor concerning requested modifications to comply with the Residential Design
11 Guidelines, or other applicable design guidelines.

12 (1) **Scheduling of Hearing.** The Zoning Administrator shall set a time for
13 hearing requests for discretionary review by the Planning Commission within a reasonable
14 period.

15 (2) **Notice.** Mailed notice of the discretionary review hearing by the Planning
16 Commission shall be given pursuant to the requirements of Section 333 of this Code. ~~not less than 10~~
17 ~~days prior to the date of the hearing to the notification group as described in Paragraph 311(e)(2)~~
18 ~~above. Posted notice of the hearing shall be made as provided under Planning Code Section 306.8.~~

19 ~~—(e) Demolition of Dwellings, Approval of Replacement Structure Required. Unless the~~
20 ~~building is determined to pose a serious and imminent hazard as defined in the Building Code an~~
21 ~~application authorizing demolition in any R-District of an historic or architecturally important building~~
22 ~~or of a dwelling shall not be approved and issued until the City has granted final approval of a building~~
23 ~~permit for construction of the replacement building. A building permit is finally approved if the Board~~
24 ~~of Appeals has taken final action for approval on an appeal of the issuance or denial of the permit or if~~

1 the permit has been issued and the time for filing an appeal with the Board has lapsed with no appeal
2 filed.

3 ~~—(1) The demolition of any building whether or not historically and architecturally~~
4 ~~important may be approved administratively where the Director of the Department of Building~~
5 ~~Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after~~
6 ~~consultation with the Zoning Administrator, that an imminent safety hazard exists, and the Director of~~
7 ~~the Department of Building Inspection determines that demolition or extensive alteration of the~~
8 ~~structure is the only feasible means to secure the public safety.~~

9 ~~—(f) **Micro Wireless Telecommunications Services Facilities, Notification and Review**~~
10 ~~**Required.** Building permit applications for new construction of a Micro Wireless Telecommunications~~
11 ~~Services Facility, other than a Temporary Wireless Telecommunications Services Facility,~~
12 ~~under Article 2 of the Planning Code in RH and RM Districts shall be subject to the notification and~~
13 ~~review procedures required by this Section. Pursuant to Section 205.2, applications for building~~
14 ~~permits in excess of 90 days for Temporary Wireless Telecommunications Facilities to be operated for~~
15 ~~commercial purposes in RH, RM, and RTO Districts shall also be subject to the notification and review~~
16 ~~procedures required by this Section.~~

17 ~~—(g) **Removal of Residential Units.** When removal or elimination of a residential unit is~~
18 ~~proposed, the Applicant shall provide notice to occupants of the subject property by complying with the~~
19 ~~following notification procedures.~~

20 ~~—(1) The Applicant shall provide a list of all existing residential units in the subject property~~
21 ~~to the Zoning Administrator, including those units that may be unauthorized residential units.~~

22 ~~—(2) The Applicant shall post a notice of the application at least 30 inches by 30 inches in a~~
23 ~~conspicuous common area of the subject property, with the content as described in Subsections~~
24 ~~(c)(5)(A) (D) above, and including the phone numbers of the agencies to contact regarding building~~
25 ~~permit issuance and appeal. The sign shall also indicate the appropriate City agency or resource to~~

1 ~~contact for assistance in securing tenant counseling or legal services that can provide assistance to~~
2 ~~tenants with understanding and participating in the City's processes. The sign shall be posted no later~~
3 ~~than the start date of the notice required under Subsection (ed)(53) and shall remain posted until the~~
4 ~~conclusion of any hearings on the permit before the Planning Commission, the Zoning Administrator,~~
5 ~~the Board of Supervisors or the Board of Appeals. Such notice shall also include contact information~~
6 ~~for translation services into Spanish, Chinese, and Russian.~~

7 ~~—(3) The Planning Department shall cause notice to be mailed to all residential units in the~~
8 ~~building, including any unauthorized residential units.~~

9 ~~—(4) If an application proposes the kind of work set forth in Section 311(b) above, the~~
10 ~~Applicant shall comply with the notification requirements set forth in Section 311(ed) above, in~~
11 ~~addition to the on-site notification requirements set forth in this Section 311(g), but this Section 311(g)~~
12 ~~shall not require compliance with such notification requirements if they are otherwise not required.~~

13
14 ~~**SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**~~
15 ~~**NEIGHBORHOODS MIXED USE DISTRICTS AND FOR CANNABIS RETAIL AND MEDICAL**~~
16 ~~**CANNABIS DISPENSARY USES IN ALL NON-RESIDENTIAL ZONING DISTRICTS.**~~

17
18 ~~—(a) **Purpose.** The purpose of this Section is to establish procedures for reviewing building permit~~
19 ~~applications for lots in NC and Eastern Neighborhoods Mixed Use Districts and for proposed~~
20 ~~Cannabis Retail and Medical Cannabis Dispensary Uses in C, PDR, M, and Mixed Use Districts, in~~
21 ~~order to determine compatibility of the proposal with the neighborhood and for providing notice to~~
22 ~~property owners, occupants and residents on the site and neighboring the site of the proposed project~~
23 ~~and to interested neighborhood organizations, so that concerns about a project may be identified and~~
24 ~~resolved during the review of the permit.~~

1 ~~—(b) **Applicability.** Except as indicated herein, all building permit applications for demolition, new~~
2 ~~construction, the removal of an authorized or unauthorized Dwelling Unit, changes in use to a Formula~~
3 ~~Retail use as defined in Section 303.1 of this Code, alterations that expand the exterior dimensions of a~~
4 ~~building, and all building permit applications for proposed Cannabis Retail or Medical Cannabis~~
5 ~~Dispensary Uses shall be subject to the notification and review procedures required by subsection~~
6 ~~312(d). Subsection 312(f) regarding demolition permits and approval of replacement structures shall~~
7 ~~apply to all NC and Eastern Neighborhoods Mixed Use Districts. For the purposes of this Section,~~
8 ~~addition to a building of the features listed in Section 136(c)(1) through 136(c)(24) and 136(c)(26)~~
9 ~~shall not be subject to notification under this Section.~~

10 ~~—(c) **Changes of Use.**~~

11 ~~—(1) **NC Districts.** In NC Districts, all building permit applications for a change of use to, or the~~
12 ~~establishment of, the following uses shall be subject to the provisions of subsection 312(d) except as~~
13 ~~stated below:~~

14 ~~—Adult Business~~

15 ~~—Bar~~

16 ~~—Cannabis Retail~~

17 ~~—General Entertainment~~

18 ~~—Group Housing~~

19 ~~—Limited Restaurant~~

20 ~~—Liquor Store~~

21 ~~—Massage Establishment~~

22 ~~—Medical Cannabis Dispensary~~

23 ~~—Nighttime Entertainment~~

24 ~~—Outdoor Activity Area~~

25 ~~—Post-Secondary Educational Institution~~

1 ~~Private Community Facility~~

2 ~~Public Community Facility~~

3 ~~Religious Institution~~

4 ~~Residential Care Facility~~

5 ~~Restaurant~~

6 ~~School~~

7 ~~Tobacco Paraphernalia Establishment~~

8 ~~Trade School~~

9 ~~However, a change of use from a Restaurant to a Limited Restaurant shall not be subject to the~~

10 ~~provisions of subsection 312(d). In addition, any accessory massage use in the Ocean Avenue~~

11 ~~Neighborhood Commercial Transit District shall be subject to the provisions of subsection 312(d).~~

12 ~~(2) Eastern Neighborhoods Districts. In all Eastern Neighborhoods Mixed Use Districts all~~

13 ~~building permit applications for a change of use from any one land use category to another land use~~

14 ~~category, including but not limited to applications for a change of use to or for the establishment of a~~

15 ~~new Cannabis Retail or Medical Cannabis Dispensary Use shall be subject to the provisions of~~

16 ~~subsection 312(d). For the purposes of this subsection (c), "land use category" shall mean those~~

17 ~~categories used to organize the individual land uses which appear in the use tables in Article 8,~~

18 ~~immediately preceding a group of individual land uses, including but not limited to the following:~~

19 ~~Residential Use; Institutional Use; Retail Sales and Service Use; Assembly, Recreation, Arts and~~

20 ~~Entertainment Use; Office Use; Live/Work Units Use; Motor Vehicle Services Use; Vehicle Parking~~

21 ~~Use; Industrial Use; Home and Business Service Use; or Other Use.~~

22 ~~(3) C, PDR, M, and Mixed Use Districts. In C, PDR, M, and Mixed Use Districts, all building~~

23 ~~permit applications for a change of use to or the establishment of a Cannabis Retail or Medical~~

24 ~~Cannabis Dispensary Use shall be subject to the provisions of subsection 312(d).~~

1 ~~—(d) **Building Permit Application Review for Compliance and Notification.** Upon acceptance of any~~
2 ~~application subject to this Section, the Planning Department shall review the proposed project for~~
3 ~~compliance with the Planning Code and any applicable design guidelines approved by the Planning~~
4 ~~Commission. Applications determined not to be in compliance with the standards of Articles 1.2, 1.5, 2~~
5 ~~and 2.5 of the Planning Code, including design guidelines for specific areas adopted by the Planning~~
6 ~~Commission, or with any applicable conditions of previous approvals regarding the project, shall be~~
7 ~~held until either the application is determined to be in compliance, is disapproved or a~~
8 ~~recommendation for cancellation is sent to the Department of Building Inspection.~~

9 ~~—(1) **Neighborhood Commercial Design Guidelines.** The construction of new buildings and~~
10 ~~alteration of existing buildings in NC Districts shall be consistent with the design policies and~~
11 ~~guidelines of the General Plan as adopted and periodically amended for specific areas or conditions by~~
12 ~~the Planning Commission. The Director of Planning may require modifications to the exterior of a~~
13 ~~proposed new building or proposed alteration of an existing building in order to bring it into~~
14 ~~conformity with the General Plan. These modifications may include, but are not limited to, changes in~~
15 ~~siting, building envelope, scale texture and detailing, openings, and landscaping.~~

16 ~~—(2) **Notification.** Upon determination that an application is in compliance with the development~~
17 ~~standards of the Planning Code, the Planning Department shall cause a notice to be posted on the site~~
18 ~~pursuant to rules established by the Zoning Administrator and shall cause a written notice describing~~
19 ~~the proposed project to be sent in the manner described below. This notice shall be in addition to any~~
20 ~~notices required by the Building Code and shall have a format and content determined by the Zoning~~
21 ~~Administrator. It shall include a description of the proposal compared to any existing improvements on~~
22 ~~the site with dimensions of the basic features, elevations and site plan of the proposed project including~~
23 ~~the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference scale,~~
24 ~~existing and proposed uses and commercial or institutional business name, if known. The notice shall~~
25

1 ~~describe the project review process and shall set forth the mailing date of the notice and the expiration~~
2 ~~date of the notification period.~~

3 ~~—— Written notice shall be mailed to the notification group which shall include the project sponsor,~~
4 ~~tenants of the subject property, relevant neighborhood organizations as described in Subparagraph~~
5 ~~312(d)(2)(C) below, all individuals having made a written request for notification for a specific parcel~~
6 ~~or parcels and all owners and, to the extent practical, occupants, of properties in the notification area.~~
7 ~~For the purposes of Section 312(h) below, written notice shall also be mailed to tenants of the subject~~
8 ~~property in unauthorized residential units.~~

9 ~~—— (A) The notification area shall be all properties within 150 feet of the subject lot in the same~~
10 ~~Assessor's Block and on the block face across from the subject lot. When the subject lot is a corner lot,~~
11 ~~the notification area shall further include all property on both block faces across from the subject lot,~~
12 ~~and the corner property diagonally across the street.~~

13 ~~—— (B) The latest City wide Assessor's roll for names and addresses of owners shall be used for said~~
14 ~~notice.~~

15 ~~—— (C) The Planning Department shall maintain a list, updated every six months with current~~
16 ~~contact information, available for public review, and kept at the Planning Department's Planning~~
17 ~~Information Counter, and reception desk, as well as the Department of Building Inspection's Building~~
18 ~~Permit Counter, of neighborhood organizations which have indicated an interest in specific properties~~
19 ~~or areas. The organizations having indicated an interest in the subject lot or its area shall be included~~
20 ~~in the notification group for the proposed project. Notice to these groups shall be verified by a~~
21 ~~declaration of mailing signed under penalty of perjury. In the event that such an organization is not~~
22 ~~included in the notification group for a proposed project as required under this subsection, the~~
23 ~~proposed project must be re-noticed.~~

1 ~~—(3) **Notification Period.** All building permit applications shall be held for a period of 30 calendar~~
2 ~~days from the date of the mailed notice to allow review by residents, occupants, owners of neighboring~~
3 ~~properties and by neighborhood groups.~~

4 ~~—(4) **Elimination of Duplicate Notice.** The notice provisions of this Section may be waived by the~~
5 ~~Zoning Administrator for building permit applications for projects that have been, or before approval~~
6 ~~will be, the subject of a duly noticed public hearing before the Planning Commission or Zoning~~
7 ~~Administrator, provided that the nature of work for which the building permit application is required is~~
8 ~~both substantially included in the hearing notice and is the subject of the hearing.~~

9 ~~—(e) **Requests for Planning Commission Review.** A request for the Planning Commission to exercise~~
10 ~~its discretionary review powers over a specific building permit application shall be considered by the~~
11 ~~Planning Commission if received by the Planning Department no later than 5:00 p.m. of the last day of~~
12 ~~the notification period as described under Subsection (d)(3) above, subject to guidelines adopted by the~~
13 ~~Planning Commission.~~

14 ~~—The project sponsor of a building permit application may request discretionary review by the~~
15 ~~Planning Commission to resolve conflicts between the Director of Planning and the project sponsor~~
16 ~~concerning requested modifications to comply with relevant design guidelines of the General Plan.~~

17 ~~—(1) **Scheduling of Hearing.** The Zoning Administrator shall set a time for hearing requests for~~
18 ~~discretionary review by the Planning Commission within a reasonable period.~~

19 ~~—(2) **Notice.** Mailed notice of the discretionary review hearing by the Planning Commission shall be~~
20 ~~given not less than 10 days prior to the date of the hearing to the notification group as described in~~
21 ~~Paragraph 312(d)(2) above. Posted notice of the hearing shall be made as provided under Planning~~
22 ~~Code Section 306.8.~~

23 ~~—(f) **Demolition of Dwellings, Approval of Replacement Structure Required.** Unless the building is~~
24 ~~determined to pose a serious and imminent hazard as defined in the Building Code an application~~
25 ~~authorizing demolition in any NC or Eastern Neighborhoods Mixed Use District of an historic or~~

1 architecturally important building or of a dwelling shall not be approved and issued until the City has
2 granted final approval of a building permit for construction of the replacement building. A building
3 permit is finally approved if the Board of Appeals has taken final action for approval on an appeal of
4 the issuance or denial of the permit or if the permit has been issued and the time for filing an appeal
5 with the Board has lapsed with no appeal filed.

6 —~~The demolition of any building whether or not historically and architecturally important may be~~
7 ~~approved administratively where the Director of the Department of Building Inspection or the Chief of~~
8 ~~the Bureau of Fire Prevention and Public Safety determines, after consultation with the Zoning~~
9 ~~Administrator, that an imminent safety hazard exists, and the Director of the Department of Building~~
10 ~~Inspection determines that demolition or extensive alteration of the structure is the only feasible means~~
11 ~~to secure the public safety.~~

12 —~~(g) Micro Wireless Telecommunications Services Facilities, Notification and Review Required.~~
13 ~~Building permit applications for new construction of a Micro Wireless Telecommunications Services~~
14 ~~Facility under Article 7 or 8 of the Planning Code in all NC or Eastern Neighborhoods Mixed Use~~
15 ~~Districts shall be subject to the notification and review procedures required by this Section. Pursuant~~
16 ~~to Section 205.2, applications for building permits in excess of 90 days for Temporary Wireless~~
17 ~~Telecommunications Facilities to be operated for commercial purposes in NC and Eastern~~
18 ~~Neighborhood Mixed Use Districts shall also be subject to the notification and review procedures~~
19 ~~required by this Section.~~

20 —~~(h) Removal of Residential Units. When removal or elimination of a residential unit is proposed,~~
21 ~~the Applicant shall comply with the following notification procedures.~~

22 —~~(1) The Applicant shall provide a list of all residential units in the subject property to the Zoning~~
23 ~~Administrator, including those units that may be unauthorized residential units.~~

24 —~~(2) The Applicant shall post a notice of the application at least 30 inches by 30 inches in a~~
25 ~~conspicuous common area of the subject property, with the content as described in Subsection (d)(2)~~

1 ~~above, and including the phone numbers of the agencies to contact regarding building permit issuance~~
2 ~~and appeal. The sign shall also indicate the appropriate City agency or resource to contact for~~
3 ~~assistance in securing tenant counseling or legal services that can provide assistance to tenants with~~
4 ~~understanding and participating in the City's processes. The sign shall be posted no later than the~~
5 ~~mailing date of the notice required under Subsection (d)(2) above and shall remain posted until the~~
6 ~~conclusion of any hearings on the permit before the Planning Commission, the Zoning Administrator,~~
7 ~~the Board of Supervisors or the Board of Appeals. Such notice shall also include contact information~~
8 ~~for translation services into Spanish, Chinese, and Russian.~~

9 ~~— (3) The Planning Department shall cause notice to be mailed to all residential units in the~~
10 ~~building, including any unauthorized residential units.~~

11 ~~— (4) If an application proposes the kind of work set forth in Section 312(b) above, the Applicant~~
12 ~~shall comply with the notification requirements set forth in Section 312(d) above, in addition to the on-~~
13 ~~site notification requirements set forth in this Section 312(h), but this Section 312(h) shall not require~~
14 ~~compliance with such notification requirements if they are otherwise not required.~~

16 **SEC. 317. LOSS OF RESIDENTIAL AND UNAUTHORIZED UNITS THROUGH** 17 **DEMOLITION, MERGER AND CONVERSION.**

18 * * * *

19 (h) **Notice of Conditional Use Hearing.** ~~At least twenty days prior to~~ For any hearing to
20 consider a Conditional Use authorization required under Subsection (g)(2), (g)(3), (g)(4), or
21 (g)(5), the Zoning Administrator shall ~~cause a written~~ provide notice as required by Section 333 of
22 this Code containing the following information to be mailed to all Residential Units and if known any
23 Unauthorized Units in the building, in addition to any other notice required under this Code:

24 ~~(1) Notice of the time, place, and purpose of the hearing; and~~
25

1 ~~(2) An explanation of the process for demolishing, merging, or converting Residential~~
2 ~~Units or Unauthorized Units, including a description of subsequent permits that would be required~~
3 ~~from the Planning Department and Department of Building Inspection and how they could be appealed.~~

4 * * * *

5
6 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS MIXED**
7 **USE DISTRICTS.**

8 * * * *

9 **(e) Hearing and Decision.**

10 **(1) Hearing.** The Planning Commission shall hold a public hearing for all
11 projects that are subject to this Section.

12 **(2) Notice of Hearing.** Notice of such hearing shall be provided as required by
13 Section 333 of this Code. ~~pursuant to the same requirements for Conditional Use requests, as set forth~~
14 ~~in Section 306.3 and 306.8.~~

15 **(3) Director's Recommendations on Modifications and Exceptions.** At the
16 hearing, the Planning Director shall review for the Commission key issues related to the
17 project based on the review of the project pursuant to Subsection (c) and recommend to the
18 Commission modifications, if any, to the project and conditions for approval as necessary. The
19 Director shall also make recommendations to the Commission on any proposed exceptions
20 pursuant to Subsection (d).

21 **(4) Decision and Imposition of Conditions.** The Commission, after public
22 hearing and, after making appropriate findings, may approve, disapprove or approve subject
23 to conditions, the project and any associated requests for exception. As part of its review and
24 decision, the Planning Commission may impose additional conditions, requirements,
25

1 modifications, and limitations on a proposed project in order to achieve the objectives,
2 policies, and intent of the General Plan or of this Code.

3 (5) **Appeal.** The decision of the Planning Commission may be appealed to the
4 Board of Appeals by any person aggrieved within 15 days after the date of the decision by
5 filing a written notice of appeal with that body, setting forth wherein it is alleged that there was
6 an error in the interpretation of the provisions of this Code or abuse of discretion on the part of
7 the Planning Commission.

8 (6) **Discretionary Review.** No requests for discretionary review shall be
9 accepted by the Planning Department or heard by the Planning Commission for projects
10 subject to this Section.

11 (7) **Change of Conditions.** Once a project is approved, authorization of a
12 change in any condition previously imposed by the Planning Commission shall require
13 approval by the Planning Commission subject to the procedures set forth in this Section.

14 15 **SEC. 330.7. PUBLIC NOTICE.**

16 In addition to the notice standards of Sections 306 through 306.5 in this Code, and any
17 other notice requirement by the Building Code or any other notice required by the Municipal
18 Code, the Zoning Administrator shall ~~mail notice~~ provide notice of a Coastal Zone Permit
19 Application as required by Section 333 of this Code. ~~to residents within 100 feet of the subject~~
20 ~~property, and mail notice to any person or group who specifically requests notice. The notice shall~~
21 ~~identify the nature of the project, its location within the coastal zone, the time and date of hearing if~~
22 ~~any, and appeal procedures.~~

23 24 **SEC. 333. PUBLIC NOTIFICATION PROCEDURES**

1 (a) Purpose. The purpose of this section is to establish procedures for all public
2 notifications required by this Code.

3 (b) Applicability. The requirements of this Section 333 shall apply to any hearing before the
4 Planning Commission, Historic Preservation Commission and/or the Zoning Administrator for which
5 public notice is required in this Code, and to certain Building Permit Applications under review by the
6 Planning Department pursuant to Section 311 of this Code. The Zoning Administrator shall determine
7 the means of delivering all forms of public notice pursuant to this Code, provided that the requirements
8 of this Section 333 are satisfied.

9 (c) Notification Period. For the purposes of this section 333, the Notification Period shall
10 mean no fewer than 20 calendar days prior to the date of the hearing, or in the case of a Building
11 Permit Application a period of no fewer than 20 calendar days prior to any Planning Department
12 approval of the application.

13 (d) Content of Notice.

14 (1) All notices provided pursuant to this section 333 shall have a format and content
15 determined by the Zoning Administrator, and shall at a minimum include the following:

16 (A) the address and block/lot number(s) of the subject project; and

17 (B) the Planning Department case number or Building Permit Application
18 number, as applicable, for the subject project; and

19 (C) the basic details of the project, including whether the project is a demolition,
20 new construction, alteration, or change of use; and basic details comparing the existing and proposed
21 conditions at the property including building height, number of stories, dwelling unit count, number of
22 parking spaces, and the use of the building; and

23 (D) instructions on how to access the online notice and plan sets for the project,
24 including how to obtain paper copies of the plan sets, and additional information as follows:
25

1 (i) for Building Permit Applications subject to section 311 of this Code:
2 the beginning and end dates of the notification period along with instructions on how to contact the
3 project planner, and for how to file an application for Discretionary Review; and contact information
4 for the appropriate City agency or resource to contact for assistance in securing tenant counseling or
5 legal services, as applicable; or

6 (ii) for any public hearings required by the Planning Code and for which
7 public notification is required for a development application: the date, time and location of the
8 hearing; instructions for how to submit comments on the proposed project to the hearing body; and an
9 explanation as to why the hearing is required.

10 (2) Multiple Language Requirement.

11 (A) Definitions. The following definitions shall apply for the purposes of this
12 Subsection:

13 (i) Dedicated Telephone Number means a telephone number for a
14 recorded message in a Language of Limited English Proficient Residents. The recorded message shall
15 advise callers as to what information they should leave on the message machine so that the Department
16 may return the call with information about the notice in the requested language.

17 (ii) Language of Limited English Proficient Residents means each of the
18 two languages other than English spoken most commonly by San Francisco residents of limited English
19 proficiency as determined by the Planning Department based on its annual review of United States
20 census and other data as required by San Francisco Administrative Code Section 91.2.

21 (B) All forms of required notice established in this section 333 shall include a
22 statement, provided in each Language of Limited English Proficient Residents and, to the extent
23 available Department resources allow, such other languages that the Department determines desirable,
24 providing a Dedicated Telephone Number at which information about the notice may be obtained in the
25 language in question. The Department shall maintain a Dedicated Telephone Number for each

1 Language of Limited English Proficient Residents. The Department shall place a return telephone call
2 by the end of the following business day to each person who leaves a message, and when the caller is
3 reached, provide information to the caller about the notice in the language spoken by the caller.

4 (e) Required Notices. Except as provided in subsection 333(f) below, all notices provided
5 pursuant to this section 333 shall be provided in the following formats:

6 (1) Posted Notice. A poster or posters with minimum dimensions of 11 x 17 inches,
7 including the content set forth in subsection 333(d) above, shall be placed by the project applicant at
8 the subject property and for the entire duration of the Notification Period as set forth herein. This
9 notice shall be in addition to any notices required by the Building Code, other City codes or State law.
10 One poster shall be required for each full 25 feet of each street frontage of the subject property. For
11 example, 2 posters would be required for a 50 foot street frontage; 3 posters would be required for
12 either a 75 foot frontage or a 99 foot frontage. Multiple posters shall be spread along the subject street
13 frontage as regularly as possible. All required posters shall be placed as near to the street frontage of
14 the property as possible, in a manner to be determined by the Zoning Administrator.

15 (2) Mailed Notice. Written notice with minimum dimensions of 4-1/4 x 6 inches,
16 including the contents set forth in subsection 333(d), shall be mailed to all of the following recipients in
17 a timely manner pursuant to the Notification Period established herein:

18 (A) Neighborhood organizations that have registered with the Planning
19 Department, to be included in a list that shall be maintained by the Planning Department and available
20 for public review for the purpose of notifying such organizations of hearings and applications in
21 specific areas; and

22 (B) Individuals who have made a specific written request for to be notified of
23 hearings and applications at a subject lot; and

24 (C) All owners and, to the extent practicable, occupants of properties, within no
25 less than 150 feet of the subject property, including the owner(s) and occupant(s) of the subject

1 property, including any occupants of unauthorized dwelling units. Names and addresses of property
2 owners shall be taken from the latest Citywide Assessor's Roll. Failure to send notice by mail to any
3 such property owner where the address of such owner is not shown on such assessment roll shall not
4 invalidate any proceedings in connection with such action. The Zoning Administrator shall determine
5 the appropriate methodology for satisfying this requirement. If applicable State law requires notice to
6 be provided in a different manner, such notice will be provided consistent with applicable State
7 requirements.

8 (3) **Online Notice.** For the entire duration of the Notification Period established
9 herein, the following notification materials shall be provided on a publicly accessible website that is
10 maintained by the Planning Department:

11 (A) A digital copy formatted to print on 11 x 17 inch paper of the posted
12 notice including the contents set forth in subsection 333(d) for the hearing or application; and

13 (B) Digital copies of any architectural and/or site plans that are scaled and
14 formatted to print on 11 x 17 inch paper, are consistent with Plan Submittal Guidelines maintained and
15 published by the Planning Department, and that describe and compare, at a minimum, the existing and
16 proposed conditions at the subject property, the existing and proposed conditions in relationship to
17 adjacent properties, and that may include a site plan, floor plans, and elevations documenting
18 dimensional changes required to describe the proposal.

19 (f) **Notice of Hearings for Legislative Actions.** Notwithstanding the foregoing, for all
20 hearings required for consideration of legislation, including but not limited to a Planning Code
21 Amendment, Zoning Map Amendment, General Plan Amendment, or Interim Zoning Controls, an
22 online notice shall be provided for the entire duration of the Notification Period established herein on a
23 publicly accessible website that is maintained by the Planning Department, and shall include the date,
24 time, and location of the hearing; the case number for the subject action; a general description of the
25 subject and purpose of the hearing; and instructions for how to contact the planner assigned to the case

1 and provide comment to the hearing body. For any legislative proposal to reclassify property through a
2 Zoning Map Amendment, or to establish Interim Zoning Controls, if the area to be reclassified or the
3 area in which the interim controls are applicable is 30 acres or less in total area, excluding the area of
4 public streets and alleys, the information specified in this Subsection (f) shall be provided in a mailed
5 notice consistent with the requirements of subsection 333(d) above, and the notices shall also include a
6 map or general description of the area proposed for reclassification or action. For any legislative
7 proposal to reclassify property through a Zoning Map Amendment, if the area to be reclassified
8 comprises a single development lot or site, the required information shall also be provided in a posted
9 notice consistent with the requirements of subsection 333(d) above.

10 (g) **Elimination of Duplicate Notice.** The notice provisions of this Section may be waived by
11 the Zoning Administrator for applications that have been, or prior to any approval will be, the subject
12 of an otherwise duly noticed public hearing before the Planning Commission or Zoning Administrator,
13 provided that the nature of work for which the application is required is both substantially included in
14 the hearing notice and was the subject of the hearing.

15 (h) **Newspaper Notice.** If newspaper notice is required by applicable State law, the City
16 shall provide such newspaper notice.

18 **SEC. 1006.3. SCHEDULING AND NOTICE OF HEARING.**

19 (a) If a public hearing before the HPC on a Certificate of Appropriateness is required,
20 a timely appeal has been made of an Administrative Certificate of Appropriateness, or the
21 HPC has timely requested review of an Administrative Certificate of Appropriateness, the
22 Department shall set a time and place for said hearing within a reasonable period. Notice of
23 the time, place and purpose of the hearing shall be ~~given~~ provided as required by Section 333 of
24 this Code. by the Department as follows:

25 ~~(1) By mail to the applicant not less than 20 days prior to the date of the~~

1 ~~hearing;~~

2 ~~(2) By mail to any interested parties who so request in writing to the~~
3 ~~Department;~~

4 ~~—— (3) For landmark sites: by mail not less than 20 days prior to the date of the hearing to~~
5 ~~all owners and occupants of the subject property and owners and occupants of properties within 150~~
6 ~~feet of the subject property;~~

7 ~~—— (4) For buildings located in historic districts: by mail not less than 20 days prior to the~~
8 ~~date of the hearing to all owners and occupants of the subject property, all owners of properties within~~
9 ~~300 feet of the subject property, and all occupants of properties within 150 feet of the subject property.~~

10 ~~(5) By posting notice on the site not less than 20 days prior to the date of the~~
11 ~~hearing; and~~

12 ~~(6) Such other notice as the Department deems appropriate.~~

13 ~~(b) For the purposes of mailed notice, the latest citywide assessment roll for names and~~
14 ~~addresses of owners shall be used, and all efforts shall be made to the extent practical, to notify~~
15 ~~occupants of properties in the notification area. Failure to send notice by mail to any such property~~
16 ~~owner where the address of such owner is not shown on such assessment roll shall not invalidate any~~
17 ~~proceedings in connection with such action.~~

18
19 **SEC. 1111.4. SCHEDULING AND NOTICE OF HISTORIC PRESERVATION COMMISSION**
20 **HEARINGS.**

21 (a) If a public hearing before the HPC is required under this Section 1111, the
22 Department shall set a time and place for the hearing within a reasonable period. Notice of the
23 ~~time, place, and purpose of the~~ hearing shall be given by the Department provided as required in
24 Section 333 of this Code. ~~not less than 20 days prior to the date of the hearing as follows:~~

25 ~~—— (1) By mail to the owner of the subject property;~~

- 1 ~~_____ (2) By mail to the applicant;~~
- 2 ~~_____ (3) By mail to any interested parties who make a request in writing to the Department;~~
- 3 ~~_____ (4) For applications for a building located in a Conservation District, by mail to the~~
- 4 ~~owners of all real property within 300 feet of the subject property;~~
- 5 ~~_____ (5) For applications for a building not located in a Conservation District, by mail to~~
- 6 ~~the owners of all real property within 150 feet of the subject property;~~
- 7 ~~_____ (6) By posting notice on the site; and~~
- 8 ~~_____ (7) By any other means as the Department deems appropriate.~~
- 9 ~~(b) Notice for HPC review of Minor Permits to Alter. A hearing for the HPC to exercise its~~
- 10 ~~review powers over a Minor Permit to Alter shall be noticed:~~
- 11 ~~_____ (1) By mail not less than 10 days prior to the date of the hearing to the applicant, all~~
- 12 ~~owners within 150 feet of the subject property, as well as to any other interested parties who so request~~
- 13 ~~in writing to the Department; and~~
- 14 ~~_____ (2) By posted notice on the site not less than 10 days prior to the date of the hearing.~~
- 15

16 Section 5. The Planning Code is hereby amended by revising Sections 1005, 1111.1,

17 and 1111.2 to read as follows:

18

19 **SEC. 1005. CONFORMITY AND PERMITS**

20 * * * *

21 (e) After receiving a permit application from the Central Permit Bureau in accordance

22 with the preceding subsection, the Department shall ascertain whether a Certificate of

23 Appropriateness is required or has been approved for the work proposed in such permit

24 application. If a Certificate of Appropriateness is required and has been issued, and if the

25 permit application conforms to the work approved in the Certificate of Appropriateness, the

1 permit application shall be processed without further reference to this Article 10. If a
2 Certificate of Appropriateness is required and has not been issued, ~~or~~ if the permit
3 application does not conform to what was approved, the permit application shall be
4 disapproved or held by the Department until such time as conformity does exist either through
5 modifications to the proposed work or through the issuance of an amended or new Certificate
6 of Appropriateness. Notwithstanding the foregoing, in the following cases the Department
7 shall process the permit application without further reference to this Article 10:

8 (1) When the application is for a permit to construct on a landmark site where
9 the landmark has been lawfully demolished and the site is not within a designated historic
10 district;

11 (2) When the application is for a permit to make interior alterations only on a
12 privately-owned structure or on a publicly-owned structure, unless the designating ordinance
13 requires review of such alterations to the privately- or publicly-owned structure pursuant to
14 Section 1004(c) hereof. Notwithstanding the foregoing, if any proposed interior alteration
15 requiring a permit would result in any significant visual or material impact to the exterior of the
16 subject building, a Certificate of Appropriateness shall be required to address such exterior
17 effects;

18 (3) When the application is for a permit to do ordinary maintenance and repairs
19 only. For the purpose of this Article 10, "ordinary maintenance and repairs" shall mean any
20 work, the sole purpose and effect of which is to correct deterioration, decay or damage of
21 existing materials, including repair of damage caused by fire or other disaster;

22 (4) When the application is for a permit to maintain, repair, rehabilitate, or
23 improve streets and sidewalks, including sidewalk widening, accessibility, and bulb-outs,
24 unless such streets and sidewalks have been explicitly called out in a landmark's or district's
25 designating ordinance as character defining features of the landmark or district;

1 (5) When the application is for a permit to alter a landing or install a power-assist
2 operator to provide an accessible entrance to a landmark or district, provided that the improvements
3 conform to the requirements outlined in Section 1006.6;

4 (6) When the application is for a permit to install business signs or awnings as defined
5 in Section 602 of this Code to a landmark or district, provided that signage, awnings, and transparency
6 conform to the requirements outlined in Section 1006.6;

7 (7) When the application is for a permit to install non-visible rooftop appurtenances to
8 a landmark or district, provided that the improvements conform to the requirements outlined in Section
9 1006.6; or

10 (8) When the application is for a permit to install non-visible, low-profile skylights,
11 provided that the improvements conform to the requirements outlined in Section 1006.6; or

12 (9) When the application is for a permit to install a City-sponsored Landmark plaque to
13 a landmark or district, provided that the improvements conform to the requirements outlined in Section
14 1006.6 of this Code.

15 * * * *

16
17 **SEC. 1111.1. DETERMINATION OF MINOR AND MAJOR ALTERATIONS.**

18 * * * *

19 (c) All applications for a Permit to Alter that are not Minor Alterations delegated to
20 Department staff shall be scheduled for a hearing by the HPC pursuant to the procedures in
21 Section 1111.4 and 1111.5 below. Notwithstanding the foregoing, in the following cases the
22 Department shall process the permit application without further reference to the Permit to Alter
23 procedures outlined herein:

1 (1) When the application is for a permit to make improvements to provide an accessible
2 entrance to a Significant or Contributory building or any building within a Conservation District
3 provided that the improvements conform to the requirements outlined in Section 1111.6 of this Code;

4 (2) When the application is for a permit to install business signs to a Significant or
5 Contributory building or any building within a Conservation District provided that signage and
6 transparency conform to the requirements outlined in Section 1111.6 of this Code; or

7 (3) When the application is for a permit to install non-visible rooftop appurtenances to
8 a Significant or Contributory building or any building within a Conservation District provided that the
9 improvements conform to the requirements outlined in Section 1111.6 of this Code.

11 **SEC. 1111.2. SIGN PERMITS.**

12 (a) New general advertising signs are prohibited in any Conservation District or on
13 any historic property regulated by this Article 11.

14 (b) If a permit for a sign is required pursuant to Article 6 of this Code, the
15 requirements of this Section shall apply to such permit in addition to those of Article 6.

16 (c) In addition to the requirements of Article 6, an application for a business sign,
17 general advertising sign, identifying sign, or nameplate to be located on a Significant or
18 Contributory Building or any building in a Conservation District shall be subject to review ~~by the~~
19 ~~HPC~~ pursuant to the provisions of this Article. The HPC, or the Planning Department pursuant to
20 Section 1111.1 of this Code, shall disapprove the application or approve it with modifications to
21 conform to the requirements outlined in Section 1111.6 of this Code, including if the proposed
22 location, materials, typeset, size of lettering, means of illumination, method of replacement, or
23 the attachment ~~would adversely affect so that~~ the special architectural, historical or aesthetic
24 significance of the subject building or the Conservation District are preserved. No application
25 shall be denied on the basis of the content of the sign.

1 Section 6. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 7. Operative Dates.

7 (a) The Amendments contained in Sections 3 and 5 of this ordinance, including
8 revisions to Planning Code Sections 206.4, 309, 315, 1005, 1111.1, and 1111.2; the addition
9 of new Planning Code Section 315.1; and deletion of Planning Code Section 328, shall
10 become operative on the Effective Date.

11 (b) The Amendments contained in Section 4 of this ordinance, including amendments
12 to Planning Code Sections 202.5, 302, 303, 303.1, 305.1, 306.3, 306.7, 306.8, 306.9, 311,
13 317, 329, 330.7, 1006.3, and 1111.4, deletions of Planning Code Sections 306.10 and 312,
14 and addition of new Planning Code Section 333, shall become operative on January 1, 2019.

15
16 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
20 additions, and Board amendment deletions in accordance with the "Note" that appears under

21 //

22 //

23 //

24 //

25 //

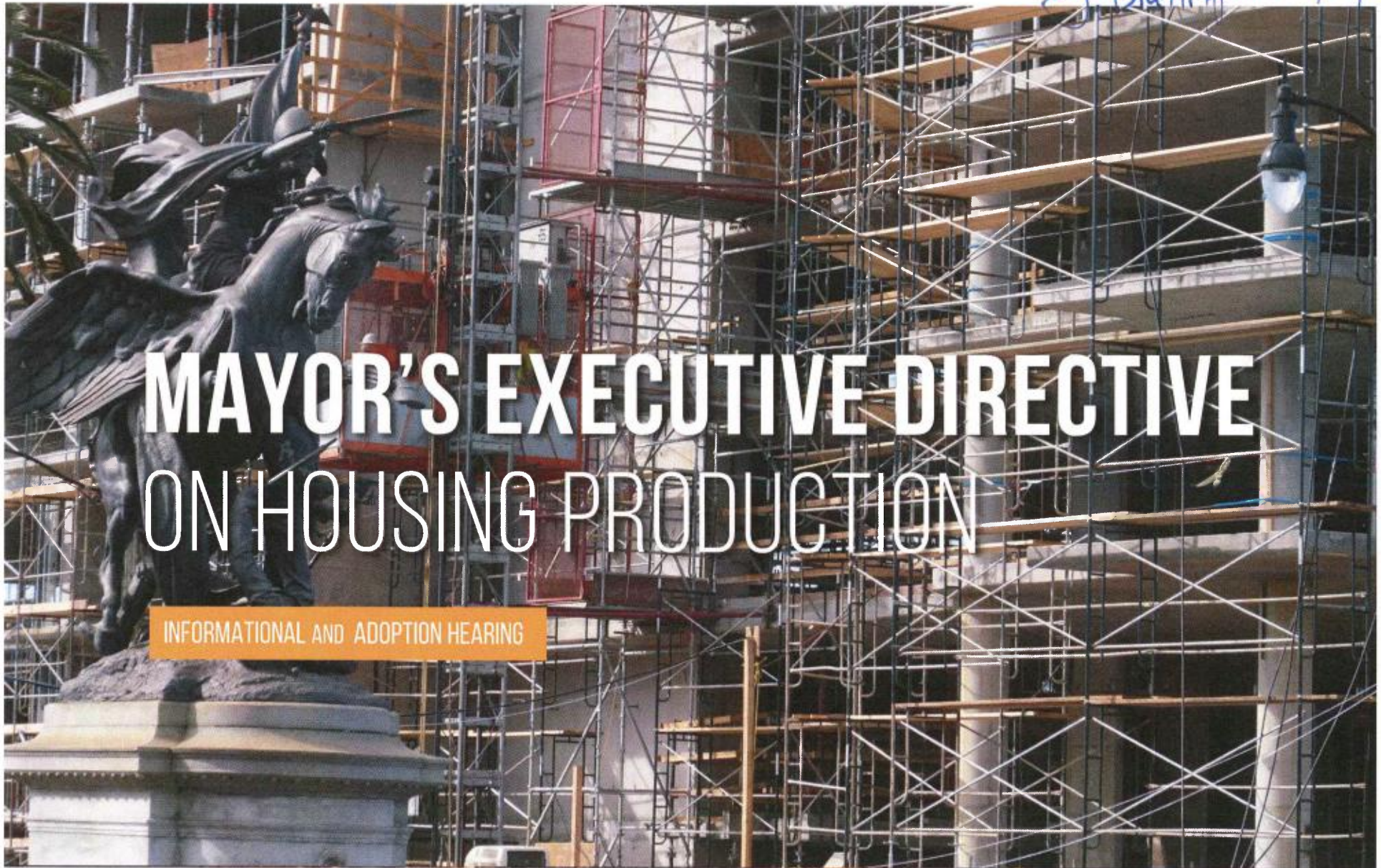
1 the official title of the ordinance.

2
3 APPROVED AS TO FORM:
4 DENNIS J. HERRERA, City Attorney

5 By: _____
6 KATE H. STACY
7 Deputy City Attorney

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Received at HPC hearing 5/16/18
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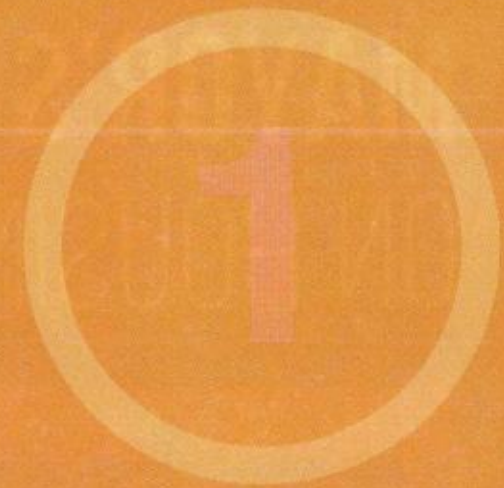


San Francisco Historic Preservation Commission | May 16, 2018



San Francisco
Planning

PROCESS IMPROVEMENTS PLAN



Mayor's Executive Directive on Housing Production



1. Approval Deadlines [pre-entitlement]

Months from stable
project to entitlement :

6	no CEQA project
9	exemptions
12	ND, MND, CPE
18	EIR
22	complex EIR



2. Approval Deadlines [post-entitlement]

ONE YEAR from complete
phase application to
construction permits



3. Accountability

- / Hearings scheduled
within timeframes
- / Senior manager
- / Quarterly reporting



4. Process Improvement Plans

**Dec 1 | Planning + DBI
pre-entitlement**

**Apr 1 | Consolidated Plan
post-entitlement**

**[PW, MTA, PUC, SFFD,
RPD, MOD, DBI]**

Process Improvements Plan

APPLICATION INTAKE AND REVIEW



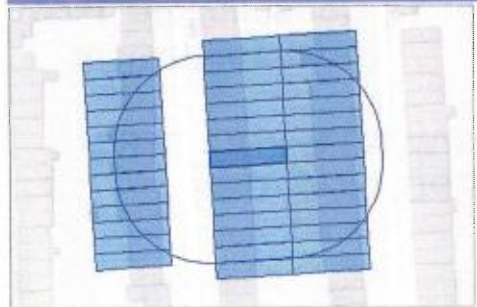
The application process should be the foundation of sponsor, staff, and public understanding of project details and review timeframes.

ENVIRONMENTAL AND DESIGN REVIEW



When successful mitigations and design treatments are well-established, we can focus analysis where it's needed most.

ADMINISTRATION AND TECHNOLOGY



By continually updating our systems and tools, we can serve the public better and keep growing our capacity.

ROUTINE PROJECT AND PERMITS



Over-the-counter and administrative approvals reduce backlog and leave more time for good planning.

PLANNING CODE AND COMMISSION POLICIES



A clear Planning Code reduces room for delay. Focusing the projects that require a hearing maximizes the value of public discussion.

Process Improvements Plan – Implementation

APPLICATION INTAKE AND REVIEW



- Streamlined Preliminary Project Assessment (PPA) [April]
- Online Applications and Payment [April]
 - General Plan Referrals (GPR), Project Review Meeting (PRV), Preliminary Project Assessment (PPA), Zoning Verification Letter (ZVL), Letter of Determination (ZAD)
- Consolidated Development Application [June]
- Neighborhood Notification Modernization [Summer]*
- Project Coordinator approach

**More on this topic later in this presentation*

Process Improvements Plan – Implementation

ROUTINE PERMITS AND APPROVALS



- Revised Historic Preservation Technician hours at Planning Information Center (PIC) counter for better service [April]
- Develop “advanced over the counter” review capability at 5th floor Planning stations, with online appointments and submittals [Spring/Summer] (*Initial roll-out for ADUs*)
- Accessory Dwelling Units (ADUs):
 - Planning/DBI/Fire Department collaboration: combined pre-application meetings, streamlined permit processing, ADU liaisons [Summer]
 - Code amendments for streamlined approval of ADUs [Summer]
 - Multi-agency coordination: Planning/DBI/Fire/Public Works/SFPUC [ongoing]

Process Improvements Plan – Implementation

ENVIRONMENTAL AND DESIGN REVIEW



- Categorical Exemption checklist on Accela permit tracking system [December]
- Adopt Urban Design Guidelines [March]
- Develop option for “preliminary Historic Resource Evaluations (HREs)” [Summer]
- Codify effective mitigation measures to streamline review
 - Archeology, Transportation, Noise, Air Quality [Fall]
- Concurrent drafting and end “certificates” for exemptions [Summer/Fall]
- Improved use of technical studies and consultants [ongoing]

Process Improvements Plan – Implementation

PLANNING CODE AND COMMISSION POLICIES

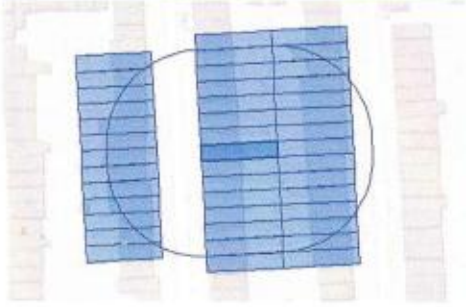


- Discontinue Costa-Hawkins waivers for Inclusionary Housing projects [March]
- Expand permitted exceptions and administrative review for downtown and affordable projects [Summer]*
- Streamline Staffing for Discretionary Review cases [June]
 - Automatic scheduling for DR hearing (10-12 weeks)
 - DR cases assigned to RDAT manager, not project planner
 - Stronger feedback loop to improve guidance in DR cases
- Review Conditional Use Authorizations [ongoing]
- Code reorganizations and clean-up [ongoing]

**More on this topic later in this presentation*

Process Improvements Plan – Implementation

ADMINISTRATION AND TECHNOLOGY



- In-house notification mailing tool [April]
- Automatic content from permit tracking system for case reports, motions, etc [April/ongoing]
- Impact Fee Calculator tool [Spring]
- Electronic Document Review [Summer]
- Integrate Building Permits into Accela permit tracking system [Fall]

MAYOR'S PROCESS IMPROVEMENTS ORDINANCE



Mayor's Process Improvements Ordinance

1. REVIEW FOR 100% AFFORDABLE HOUSING AND LARGE DOWNTOWN PROJECTS



■ ISSUE:

- In 2016, the Board of Supervisors adopted legislation to allow for administrative approval of 100% Affordable Housing projects.
- For many projects, though, administrative approval is still not possible due to the location of the project, or because minor exceptions are needed.

■ PROPOSAL:

- Allow 100% Affordable Housing projects to obtain the same level of modifications from requirements as allowed for a Planned Unit Development, administratively.
- Allow for administrative review and approval of 100% Affordable Housing Bonus projects, if they are consistent with Bonus Program eligibility and Design Guidelines.

Mayor's Process Improvements Ordinance

1. REVIEW FOR 100% AFFORDABLE HOUSING AND LARGE DOWNTOWN PROJECTS



■ ISSUE:

- Large residential downtown projects typically require a Variance in addition to a Sec. 309 Downtown Project Authorization, because certain requirements are incompatible with high-rise development.

■ PROPOSAL:

- Provide standard exceptions to dwelling unit exposure (Sec. 140) and usable open space (Sec. 135) requirements administratively, for streamlined review of large residential projects in downtown C-3 districts.

Mayor's Process Improvements Ordinance

2. NEIGHBORHOOD NOTIFICATION — CURRENT REQUIREMENTS



- Notification of public hearings and Planning Department review is valuable, but current requirements are **unnecessarily complicated**, with over 30 different forms of required notice.
 - This is time consuming and leads to simple errors that can cause real delays in project review.
- Section 311 and 312 notification requirements alone generated over **3 tons of paper** last year.
- Many forms of notification do not reach **tenants**, are not provided in **multiple languages**, and are not **accessible to the general public**.
- Notification requirements for routine scopes of work add to the Planning Department **review backlog**.

Mayor's Process Improvements Ordinance

2. NEIGHBORHOOD NOTIFICATION – CURRENT REQUIREMENTS

Type of Mailing	Mailing Period	Mailing Radius	Newspaper	Posting	Notes
311/312 Notification	30-Day	150' Occupants & Owners	N/A	30-Day	*
329	10-Day	300' Owners	20-Day	20-Day	*
309 (DT Project Authorization) Administrative	10-Day	Adjacent Owners	N/A	N/A	*
309 (DT Project Authorization) Hearing	10-Day	300' Owner	N/A	20-Day	*
Condo Conversion (5+ Units)	10-Day	300' Owner	N/A	10-Day	*
COA (within historic districts)	20-Day	150' Occupants & 300' Owners	N/A	20-Day	*
COA (individual landmarks)	20-Day	150' Occupants & Owners	N/A	20-Day	*
Coastal Zone Permit	Use rules for related entitlement (CUA, VAR, BPA, MAP, etc.) for mailing, posting, and newspaper ad				
CUA in all Zoning Districts	20-Day	300' Owners	20-Day	20-Day	*
CUA with Variance (1 notice combined)	20-Day	300' Owners	20-Day	20-Day	*
CUA with 311/312 (1 notice combined)	20-Day combined notice	150' Occupants & 300' Owners	20-Day	20-Day	*
CUA Formula Retail (combined 312 & CUA)	30-Day	150' Occupants & 300' Owners	20-Day	20-Day	*
CUA Projects Subject to 317	20-Day	300' Owners, All Units in Building	20-Day	20-Day	*
Designation - Landmarks & Historic Districts (DES)	10-Day	All Owners in Designation Area	20-Day	N/A	*
DR (Public, Staff Initiated, or Mandatory)	10-Day	Adjacent Occupants & Owners	N/A	10-Day	*
DR (Mandatory, Sutro Tower wireless)	20-Day	1000' Occupants & Owners	N/A	20-Day ^	**
Gas Station Conversion	20-Day	300' Owners	20-Day	20-Day	*
Institutional Master Plan	20-Day	300' Owners	20-Day	20-Day	*
Legislative Amendments (Zoning Map)	20-Day	300' Owners	20-Day	20-Day	* †
Legislative Amendments (GP Amendment)	20-Day	300' Owners	20-Day	N/A	*
Legislative Amendments (Text Change)	20-Day	300' Owners	20-Day	N/A	†
Medical Cannabis Dispensary - DRM	30-Day	300' Owners & Occupants	N/A	30-Day	*
Medical Cannabis Dispensary - CUA	30-Day	300' Owners & Occupants	20-Day	30-Day	*
Office Allocation	N/A	N/A	N/A	20-Day	*
PTA (within conservation district)	20-Day	300' Owners	N/A	20-Day	*
PTA (outside conservation district)	20-Day	150' Owners	N/A	20-Day	*
Planned Unit Development	20-Day	300' Owners	20-Day	20-Day	*
Variance	20-Day	300' Owners	N/A	20-Day	*

Mayor's Process Improvements Ordinance

2. NEIGHBORHOOD NOTIFICATION — PROPOSAL



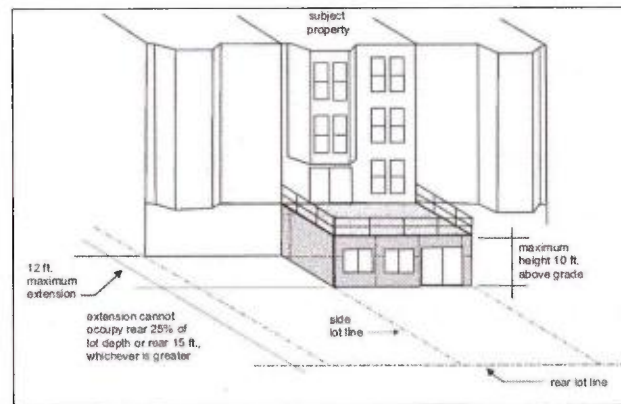
- Consistent notification requirements for all applications and hearings:
 - **Mailed Notice:** 20 day period, 150 foot mailing area for tenants and property owners
 - **Posted Notice:** 20 day period, one poster every 25 feet
 - **Online Notice:** 20 day period, more accessible to the public than newspaper notice
- Reduce paper, expand access:
 - Replace mailed plan sets with a **postcard size mailer**, with a **link to plan sets online** and option to obtain paper copies
 - Adopt a **standard size for posters**, no smaller than 11 x 17"
- Include **multilingual translation instructions** on all forms of notification, not just mailed notice.

Mayor's Process Improvements Ordinance

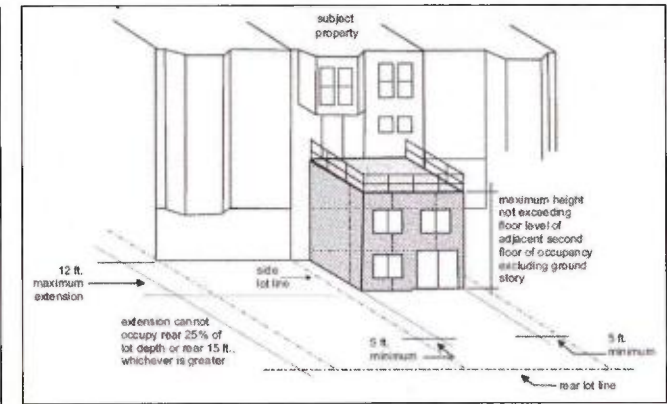
2. NEIGHBORHOOD NOTIFICATION — PROPOSAL



- Allow for **limited rear additions** to be approved at the Planning Information Counter (PIC) without notification, within the required limits of Section 136(c)(25):



[300 gsf max. for typical lot]



[360 gsf max. for typical lot]

- These projects are routinely approved, yet account for up to 2 FTE of staff time to comply with notification procedures, taking planners away from other work.

Mayor's Process Improvements Ordinance

3. ROUTINE ALTERATIONS TO HISTORIC BUILDINGS



- ISSUE: Historic Preservation Commission approval or delegation for minor scopes of work takes up a considerable amount of staff time, cumulatively.
- PROPOSAL: For certain minor and routine scopes of work, allow for over-the-counter review and approval within the guidelines established in the Code:
 - ADA automatic door openers
 - Business signs or awnings
 - Non-visible rooftop equipment and skylights
 - Historic Landmark plaques

Mayor's Process Improvements Ordinance

3. ROUTINE ALTERATIONS TO HISTORIC BUILDINGS — STANDARDS AND REQUIREMENTS

P3

SIGNS & AWNINGS

Location

- Maintain a physical separation between all tenant signage to clearly indicate relationship to each business. Avoid locations that are not immediately adjacent to the space the business occupies.
- Locate signage on flat surfaces in relationship with a building's character-defining features. Work with Preservation staff to identify locations that avoid obscuring or altering character-defining features.
- Allow transom glazing to remain open and unobstructed by signage.
- Design window signage in conformance with transparency guidelines to allow for an open or clear background that allows views into the interior of the tenant space.
- Locate interior signage that is visible from the exterior a minimum of one-foot back from the inside face of the glazing.
- Consolidate signage for businesses located on upper floors at a pedestrian scale and adjacent to the building entrance.

Number of Signs

- Design a maximum of one wall sign and one projecting sign per tenant.
- Consider additional signage only if the tenant has visibility on more than one street frontage; occupies more than three storefront bays; or is an anchor tenant.
- Distribute additional signage based on tenant street frontage while avoiding signage at every storefront and contributing to cumulative visual clutter.

Sign Materials

- Use materials that are compatible with the color, craftsmanship, and finishes associated with the district. Glossy or highly reflective surfaces will not be approved.
- Reduce the depth of a sign by locating the transformer in a remote location and not housed within the sign itself.



Mayor's Process Improvements Ordinance

3. ROUTINE ALTERATIONS TO HISTORIC BUILDINGS — STANDARDS AND REQUIREMENTS

M3

ROOF FEATURES: Retain character-defining features and localize work to only those areas in need of attention.

01 02 03 04 05 06 07 08 09 10

Continuation of the Historic Ordinance

Roofs are a significant character-defining feature of a historic building and can occur in a variety of forms, such as gable, flat, shed, gambrel, and hipped. Maintain the overall roof form, slope and height, and materials. Alterations, such as the construction of dormers, skylights, or the installation of solar panels, should be designed to be minimally visible and subordinate to the overall historic form and to the ridgeline. In some cases, roof alterations may not be appropriate as some resources have unique rooflines that may not be able to accommodate additional features.

Dormers

- Preserve the overall integrity of the building's roofline and relate the construction of new dormers, or the enlargement of non-historic dormers, to the overall character of the building.
- Design the overall dormer massing so as not to overwhelm the historic roof form and ridgeline.
- Setback new dormers from street-facing and side elevations of the building to minimize visibility. Design dormer ridgelines lower than the ridgeline of the primary historic roof form.
- Match the dormer slope proportionally with the pitch of the building's main roof. Flat roof or shed dormers are not appropriate on hipped or gable roof forms.

- Match the dormer roof material with the main roof material. Clad dormers with materials that are compatible with the building.
- Design dormer windows to be compatible with the material and configuration of the overall fenestration pattern found on the building.

Roof Decks & Penthouses

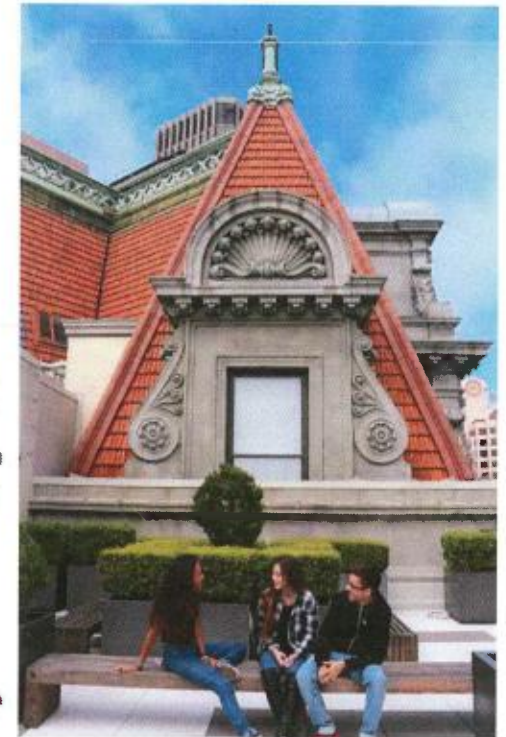
- Minimize visibility, especially from public parks or vistas, of roof decks, railings, windscreens, and planters by using setbacks from the perimeter walls of the building and roof edges.
- Locate railings so as not to be attached to the top of a parapet, or any historic or ornamental feature.
- Setback and sculpt penthouses, and other access structures, to reduce visibility at street-facing elevations of the building and to preserve the overall integrity of the building's roof form.

- Design an open air stair, a rear stair or hatch to access the roof when visibility may be an issue.

- Design roof decks and associated features using non-reflective materials and finishes that are compatible with the architectural features of the resource.

Skylights

- Always salvage character-defining roofing materials for future repairs and reuse.
- Minimize skylight visibility by using products with low, flat profiles that are mounted flush with the slope of the roof.
- Replace or add skylights openings between roof joists where there is no change in the roof structure the historic style and shape of the roof is retained.



Mayor's Process Improvements Ordinance

3. ROUTINE ALTERATIONS TO HISTORIC BUILDINGS — STANDARDS AND REQUIREMENTS

S2

ACCESSIBILITY: Provide safe and accessible environments without negatively affecting character-defining features for future enjoyment by all.

01	02	03	04	05	06	07	08	09	10
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Secretary of the Interior Standards

Providing access is an important and necessary aspect to promoting the City's historic resources. Business and property owners that provide public access are required to continually remove architectural barriers to accessibility until a space is completely accessible, even if no other construction work is being performed. Whether barrier removal is considered to be "readily achievable" will vary from business-to-business and building-to-building. Successful projects balance accessibility and historic preservation through analysis of the requirements and sensitive design. To begin, assess and evaluate the property's existing and required level of accessibility within a preservation context – what are the features of the resource that are character-defining and what are the overall goals and requirements to achieve accessibility? Design accessibility alterations in a reversible manner to allow for future modifications. Consult the California Historic Building Code to identify other acceptable means for achieving accessibility. Confer with the Department of Public Works for technical requirements where work is proposed in the public right-of-way.

General

- Provide the greatest amount of accessibility achievable without removing or obscuring character-defining features.
- Create at least one entrance used by the public for an accessible entry when this cannot be achieved on the primary entrance. Locate modifications on secondary or non-visible façades, to avoid damaging any character-defining features.
- Protect and retain all surrounding material when altering for accessibility.

Access & Entrances

- Retain and reuse all historic doors and modify the swing of a door for accessibility by reusing existing hardware.

- Maintain the materials, entrance configuration and vestibule (alcove) shape. Widen entrances to meet width requirements for accessibility while maintaining the style and design of the historic entry.

- Match all replacement materials to the historic entrance.

- Modify parking configurations and pathways to improve accessibility without altering character-defining landscape features.

- Create a new entrance by modifying an existing opening or creating a new opening in an appropriate location where it is not possible to modify an existing entrance. Reference the Windows & Doors Section for guidelines on modifying an existing opening.

Level Changes & Sidewalk

- Locate ramps, railings, and guards to minimize the loss of historic features. Use appropriate attachment techniques to allow for reversibility.
- Finish ramps with a material that is compatible to the character-defining features.
- Design railings to be simple in design and distinguishable from historic features.
- Install lifts in an unobtrusive location to visually minimize maintenance.
- Remove steps to allow for accessible entry while retaining and reusing character-defining materials; or design a ramp that retains the historic stairs or entrance.



THANK YOU



San Francisco
Planning

Jacob Bintliff
Senior Planner
San Francisco Planning

jacob.bintliff@sfgov.org
www.sfplanning.org



SKS

April 23, 2018

San Francisco Historic Preservation Commission
Commission President Wolfram
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Project Sponsor's Objection to National Register Nomination for 3333 California Street

Dear Commission President Wolfram:

Laurel Heights Partners LLC ("Project Sponsor") is the fee owner of the property at 3333 California Street, and is currently pursuing entitlements and environmental review for a mixed-use housing development project at that site. Project Sponsor has formally filed with the State Historical Resources Commission an objection to the National Register of Historic Places (National Register) nomination, which the Laurel Heights Improvement Association ("LHIA") submitted on February 9, 2018. The letter of objection is attached as Exhibit A. Because of this objection, 3333 California Street cannot be placed on the National Register; at most, it could be "determined eligible" for listing.

As you know, the California Environmental Quality Act (CEQA) requires rigorous review of potential impacts to historic resources. Planning Department staff has determined, through an Historic Resources Evaluation (HRE) and Preservation Team Review (PTR) form, that certain elements of the 3333 California Street site make it eligible for listing in the California Register of Historical Resources (California Register) under Criterion 1 (events) and Criterion 3 (architecture).

3333 California Street does not appear to be a particularly notable San Francisco example of Mid-Century Modern design. The Planning Department's 2011, *San Francisco Modern Architecture and Landscape Design: 1935-1970 Historic Context Statement*, a comprehensive review and analysis of modern architecture in San Francisco, only mentions 3333 California Street in an appendix covering "additional modern architects," which includes building architect Edward Page. Nevertheless, Project Sponsor has accepted the Planning Department's determination that the site is eligible for the California Register. As such, any potential impact to the site is already being analyzed as an impact on an historic resource for CEQA purposes. A determination of eligibility for the National Register would provide no additional CEQA protection for the resource.



SKS

LHIA is a corporate organization opposed to the 3333 California Street mixed-use housing development project – a project that would provide much-needed housing units during an unprecedented housing crisis. LHIA's recent National Register nomination, which was filed without any discussion with, or prior notification to, the Project Sponsor, appears to be part of that organization's effort to slow down or prevent the project.

Planning Department staff's March 21, 2018 report to the Architectural Review Committee notes differences of professional opinion between the National Register nomination and the Planning Department's analysis of character-defining features, most notably pertaining to the Service Building at the site's northwest corner. The historic consultant that prepared the HRE, LSA Associates, and the Planning Department have determined that the Service Building "is not an important architectural feature of the site" and is a "non-contributing feature," and therefore retention of the Service Building will not be included in development of project alternatives for CEQA purposes.

We appreciate the opportunity to make our views known regarding the National Register nomination. We would be happy to answer any questions that you and your fellow Commissioners may have.

Respectfully submitted,

Laurel Heights Partners LLC
a Delaware limited liability company

By: 3333 California LP
a Delaware limited liability partnership
its managing member

By: PSKS LH LLC
a Delaware limited liability company
its general partner

By: Prado LH LLC,
a California limited liability company
its managing member

By:

Name: Daniel J Safier

Title: Manager

Encls. (Exhibit A – Objection Letter)



SKS

Exhibit A
Copy of Letter to SHRC



April 5, 2018

State Historical Resources Commission
c/o Mr. Jay Correia
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

RE: 3333 California Street, San Francisco, CA
Objection to the National and State Register Nomination

Dear Mr. Correia:

Laurel Heights Partners LLC is the fee simple owner of the subject property. This letter is to inform you that we are making a formal objection to the current nomination as put forward by Laurel Height Improvement Association per their letter date February 9, 2018.

Should you have any questions, please contact me at 415.857.9306.

Sincerely,

Laurel Heights Partners LLC
a Delaware limited liability company

By: 3333 California LP
a Delaware limited liability partnership
its managing member

By: PSKS LH LLC
a Delaware limited liability company
its general partner

By: Prado LH LLC,
a California limited liability company
its managing member

By: 
Name: Daniel J Safier
Title: Manager

cc: Don Bragg, SVP The Prado Group, Inc.
enclosure: conformed grant deed for the subject project.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Francisco)

On 4/5/18

Date

before me, Cynthia Hamilton, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Dan Safier

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Cynthia Hamilton
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Recording Requested by:

When Recorded Mail to:

Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, CA 94304
Attn: Philip J. Levine, Esq.

Mail Tax Statements to:
Laurel Heights Partners LLC
150 Post St., Ste. 320
San Francisco CA 94108
Attn: Daniel J. Safier

Assessor Parcel Number (APN): Block 1032, Lot 003
Street Address: 3333 California St., San Francisco
Escrow #15604930-TK/JM

WE HEREBY CERTIFY THAT THIS IS FULL
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
San Francisco COUNTY, STATE OF
CALIFORNIA, RECORDED ON March 30, 2018
IN BOOK - OF OFFICIAL RECORDS
AT PAGE - SERIAL NO. 2018-K545-115
CHICAGO TITLE INSURANCE COMPANY
By [Signature]

GRANT DEED

(Please fill in Document Title(s) above this line)

This document is exempt from the \$75 Building Homes and Jobs Act Fee (per Government Code §27388.1) because:

- ☒ Document is a transfer of real property subject to the imposition of transfer tax
- ☐ Document is a transfer of real property that is a residential dwelling to an owner-occupier
- ☐ Document is recorded in connection with an exempt transfer of real property (i.e., subject to transfer tax or owner-occupied). If not recorded concurrently, provide recording date and document number of related transfer document:
Recording date _____ Document Number _____
- ☐ The \$225 per transaction cap is reached
- ☐ Document is not related to real property
- ☐ This page added to provide adequate space for recording information (additional recording fee applies)

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, CA 94304
Attn: Philip J. Levine, Esq.

MAIL TAX STATEMENTS TO:

Laurel Heights Partners LLC
c/o The Prado Group, Inc.
150 Post Street, Suite 320
San Francisco, CA 94108
Attn: Daniel J. Saffier

APN: Lot 003, Block 1032
Address: 3333 California Street, San Francisco, CA
CIC EAL #16604930 - TV/JM

(Space above this line for Recorder's use)

GRANT DEED

The Documentary Transfer Tax is: \$12,090.00

- ☒ Computed on full value of property conveyed.
☐ Computed on full value less liens and encumbrances assumed.
- ☒ City of San Francisco
☐ Unincorporated

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, 2130 POST STREET, LLC, a California limited liability company ("Grantor") does hereby GRANT, CONVEY, TRANSFER, and ASSIGN to LAUREL HEIGHTS PARTNERS LLC, a Delaware limited liability company ("Grantee") that certain real property in the City of San Francisco, County of San Francisco, State of California, as legally described on Exhibit A attached hereto and made a part hereof (the "Property").

This grant is made subject to all matters of record existing as of the date hereof.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has executed this Grant Deed this 26 day of March, 2018.

GRANTOR:

2130 Post Street, LLC,
a California limited liability company

By: G. Bakar Properties, Inc.,
a California corporation, its Manager

By: [Signature]
Stephen J. LoPresti, Secretary

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF San Francisco) S.S.

On March 26, 2018 before me, Leyla Knafelman, Notary Public, personally appeared Stephen J. LoPresti who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Signature



EXHIBIT A

Legal Description of Property

THE LAND REFERRED TO HEREBIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

BEGINNING at a point on the Southerly line of California Street, said point being the Easterly extremity of the curve with a 15 foot radius joining the Easterly line of Laurel Street with the Southerly line of California Street, as shown on "Map of Laurel Heights, filed July 28, 1947, in Map Book "P", at Pages 55 and 56, Official Records of the City and County of San Francisco; running thence North 80°54' East 707.375 feet along the Southerly line of California Street to the Southwesterly boundary of the property of the Standard Oil Company of California; thence South 52°36' 29.74 seconds East along said boundary 232.860 feet; thence Southwesterly along the arc of a curve to the right whose tangent deflects 54°14' 30.74 seconds to the right from the preceding course, radius 425 feet, central angle 34°15'59", a distance of 254.176 feet; thence South 35°54' West tangent to the preceding curve 380.066 feet; thence Southwesterly along the arc of a curve to the right, tangent to the preceding course, radius 65 feet, central angle 37°18' a distance of 42.316 feet to tangency with the Northwesterly line of Euclid Avenue; thence South 73°12' West along said line of Euclid Avenue 312.934 feet; thence leaving said line of Euclid Avenue, and running Southwesterly, Westerly, and Northwesterly along the arc of a curve to the right, tangent to the preceding course, radius 20 feet, central angle 100°48' 01.51", a distance of 35.186 feet; thence Northwesterly along the arc of a reverse curve to the left, parallel to and concentric with and radially distant 6 feet Northeastly from the Northeastly line of Laurel Street, as shown on said map of Laurel Heights, radius 4033 feet, central angle 5°31' 20.27", a distance of 388.710 feet; thence Northwesterly along the arc of a compound curve to the left, radius 120 feet, central angle 71°12' 55.45", a distance of 149.153 feet; thence Northwesterly along the arc of a reverse curve to the right, radius 60 feet, central angle 73°38' 14.21", a distance of 77.113 feet to tangency with the Easterly line of Laurel Street; thence North 9°06' West along said line of Laurel Street 127.290 feet to the beginning of the above mentioned curve joining the Easterly line of Laurel Street with Southerly line of California Street; thence Northwesterly, Northerly, and Northeastly along the arc of a curve to the right, radius 15 feet 90°00', a distance of 23.562 feet to tangency with the Southerly line of California Street and the point of beginning.

APN: Lot 003, Block 1032

From: marty cerles
To: [Smith, Desiree \(CPC\)](#)
Subject: UCSF Campus Building at 3333 California St
Date: Monday, April 30, 2018 3:33:46 PM

Dear Mrs. Smith,

I am writing you today to urge you to NOT approve the Laurel Heights Improvement Association's attempt to declare the current building at 3333 California Street as "Historic". This is just a blatant attempt to stop the construction of new housing at the site, and has nothing to do with the "historic" aspect of the building. This is a classic example of neighborhood organizations throwing up roadblocks to any attempt to construct desperately needed new housing in San Francisco. There is no question that we are currently experiencing a critical housing shortage due to these types of petitions, and I urge the Planning Department's Historic Preservation program to not be complicit in this egregious attempt.

I currently rent an apartment just three blocks away from this location, and was born (in 1985) and raised just a few blocks away on Masonic. I always dreamed of raising a family in the neighborhood I grew up in, but my dreams are unattainable because there has been ZERO construction of new housing in this neighborhood, primarily as a result of the activities of NIBMY organizations such as the Laurel Heights Improvement Association. I urge to you to stop bending to their will.

Thank you for your time.

Regards,

Marty R Cerles Jr
2763 Bush Street, Apt. E.

From: Norma Guzman
To: [norma guzman](#)
Subject: Modernism = function over form. Vote NO to the resolution on 3333 California Street!
Date: Wednesday, May 02, 2018 11:34:45 AM

Commissioners,

Please vote NO on the resolution to block much needed housing at 3333 California Street.

The timing of this nomination application is reactionary and **seeks to make public land exclusionary**.

In light of climate change and other factors, American society is evolving away from suburban environments. Before being acquired by AECOM, even EDAW evolved from designing suburban landscapes to championing mixed-use, infill, urban regeneration projects. If they were still around, I am sure that they would LOVE to be a partner in this project.

Modernism itself was meant to be rational, to respect contemporary social, economic, and political realities, and to respect function over form. In 2018, the function of housing in this job-rich city is a far more rational use of this public land.

Our housing crisis is very real and we need every single home.

Please vote NO on this reactionary, exclusionary resolution.

Thank you,

Norma Guzman
M.A. Landscape Architecture and City Planning

From: Robin Pam
To: [Smith, Desiree \(CPC\)](#); [Frye, Tim \(CPC\)](#); andrew@tefarch.com; aaron.hyland.hpc@gmail.com; [Black, Kate \(CPC\)](#); ellen.hpc@ellenjohnckconsulting.com; RSEJohns@yahoo.com; dianematsuda@hotmail.com; jonathan.pearlman.hpc@gmail.com
Subject: UCSF Laurel Heights Development Statement
Date: Wednesday, May 02, 2018 1:15:18 PM

Dear members of the Preservation Commission in San Francisco,

I recently read about the effort to prevent housing being built in Laurel Heights by designating the UCSF building there as historic, and as a San Francisco resident and mother of a young child who hopes to raise a family in the city, I would like to voice my concerns about this designation prior to the hearing you are holding next week.

San Francisco is the poster child for California's housing crisis, and the city desperately needs to increase density and build more housing that is appropriate for families to settle here long term.

There are few sites in the city like the one in Laurel Heights where duplexes, townhomes, and other "missing middle" types of housing can be built to accommodate families who want to settle here, but cannot afford to spend \$2-3M on a single family home. The site is also uniquely well served by Muni, meaning that these families can get by with less reliance on car trips.

I understand that this structure exemplifies the "the embodiment of postwar decentralization and suburbanization of San Francisco" -- this is exactly the kind of urban design that has gotten us into this housing crisis in the first place.

Designating the structure as historic will have devastating consequences for housing construction in San Francisco. It will show that any NIMBY who wants to keep people out of their neighborhood can have yet another tool at their disposal to prevent change.

Please, consider the far-reaching consequences of this decision, the frivolous nature of the request, and the families who will not be able to live here in our city, before you prevent critically needed housing from being built.

Thanks,
Robin Pam

936 Potrero Ave.
San Francisco, CA 94110



Laurel Heights Improvement Association of San Francisco, Inc.

BY E-MAIL

May 15, 2018

President Andrew Wolfram and
Commissioners Hyland, Black, Johnck, Johns, Matsuda and Pearlman
San Francisco Historic Preservation Commission

Re: 3333 California Street/2018-004346FED
May 16, 2018 San Francisco Historic Preservation Commission

Dear Commissioners,

We are delighted that staff proposes that this Commission adopt a resolution in overall support of our nomination of the Fireman's Fund Insurance Company Home Office for listing on the National Register of Historic Places (Nomination).

Staff agrees that the property is locally significant under National Register Criterion C as an example of a corporate headquarters in San Francisco that reflects modernist design principles; as the embodiment of postwar decentralization and suburbanization of San Francisco given it was the first major office building constructed outside of downtown; and for its association with the master engineer, John J. Gould & H.J. Degenkolb, and the master landscape architecture firm of Eckbo, Royston & Williams (ERW)/Eckbo, Austin, Dean and Williams (EDAW).

We appreciate staff's agreement that the property is also significant under Criterion A for its "embrace of new ideas, symbolized by its move away from downtown to an outlying location." In other words, it is significant as an important example of a suburban corporate property type adapted to an urban setting in San Francisco.

In the revisions to the nomination which historians Michael Corbett and Denise Bradley submitted to the State of California Office of Historic Preservation on April 20, 2018, the period of significance was changed to end in 1967, which is the year in which the final construction by Fireman's Fund was completed. (see Nomination, pp. 18, 31) Also, the typographical errors were corrected

However, the revisions proposed by San Francisco Planning staff are inappropriate, because they request more than the National Register criteria require, or are based on omission of pertinent portions of the nomination. Staff does not reference the National Register criteria as support for these revisions.

1. Architect Edward B. Page

Criterion C. Carey & Company's 2011 UCSF Historic Resources Survey states that the 3333

"In 1947, Page opened his own office in San Francisco, Many of his early projects were in association with others, including the Glen Craggs Housing Project with Wilbur D. Peugh in 1951 and two schools with Cantin & Cantin in 1952. **His design for the 1954 Mason B. Wells house in Belvedere won an Award of Merit from the Northern California Chapter of the American Institute of Architects...**

Following the success of the first phase of the Home Office in 1957, Page designed three subsequent additions in 1963-1967, and **branch offices in Fresno, Riverside, San Jose, and Los Angeles**. He also consulted on the designs of branches outside of California including those in New York, New Orleans, and Atlanta, where he advised primarily on matters related to the way the insurance business works." (Nomination p. 43, emphasis added)

"As to earlier projects when working in the office of Bakewell & Weihe, "...Page was allowed to work there on his own projects and in 1937-1938 was a draftsman for the Golden Gate International Exposition (G.G.I.E.). Later in life he remembered his design for the Island Club (demolished) at the G.G.I.E. with particular pride....

After receiving his architectural license in 1938, Page worked for himself and for others on small projects from 1939 to 1942. On one of these projects, for Lewis Hobart, another prominent Beaux-Arts architect, he worked on drawings for the floor of Grace Cathedral. From 1942-1947, he worked as the Chief of Architecture and Engineering for San Francisco architect Wilbur D. Peugh supervising wartime projects for U.S. Naval Operations." (Nomination, p. 42)

Staff erroneously argues that to be a "master" an architect must have been "prolific," or have "had significant influence on the professional architectural community" or that the architect's "notoriety and influence" be compared with that of other firms. The National Register's definition of a "master" as including "**a known craftsman of consummate skill**" does not set forth the hurdles proposed by staff. The work on the Fireman's Fund building that represented a phase in his career and made Edward Page locally recognized as a master is sufficient, and the criteria do not require that he have built a string of buildings. Evaluation of quality is not equivalent to quantity.

2. Criterion A - Significant Contribution to Development of a Community

Criterion A. An important event that satisfies criterion A includes "A pattern of events or a historic trend that made a significant contribution to the development of a **community**, a State, or the nation." (See Attachment 2 hereto, U.S. Department of the Interior, *National Register Bulletin, How to Apply the National Register Criteria for Evaluation* (1995) p. 12, emphasis added. The nomination documents the manner in which the insurance industry and Fireman's

its association with the growth and development of the San Francisco insurance, an important industry in the history of the city from the Gold Rush to the present. (Nomination p. 40) One outcome of the rapid growth of the city was the haphazard construction of its buildings in flammable materials, which resulted in destruction by fire six times in the 1850s of large parts of the city. (Nomination p. 36) San Francisco's reliance upon maritime commerce and its frequent large and destructive fires quickly gave rise to an insurance industry. (Nomination p. 36) This industry would play an important role in the local economy as an employer and as a source of investment money in the region, and San Francisco became a center for the insurance industry on the west coast. (Nomination p. 36) Among more than thirty local insurance companies formed in San Francisco in the 1850s-1860s, Fireman's Fund, formed in 1863, was among the few San Francisco companies that became well-established and among these it was the only one left in business by 1985. (Nomination, p. 37)

Fireman's Fund succeeded because it established branch agencies, paid its claims in a number of high risk and high profile situations which gave it a reputation for honesty and reliability, had wealthy owners who could provide enough capital to survive in more than one case, and made key innovations on a number of occasions that proved to be influential within the industry. (Nomination, p. 37) In 1867, the company built an imposing headquarters in a prestigious location at California and Sansome Streets. (Nomination p. 37). For the rest of the 19th century, the company prospered while taking over other San Francisco insurance companies and expanding its operations. (Nomination p. 37)

Fireman's Fund was by far the leading local insurance company at the time of the 1906 San Francisco earthquake and fire. It paid all claims by assessing its stockholders and paying in installments. (Nomination p. 38) Like the most prestigious banks, San Francisco insurance companies preferred to locate on California Street near Montgomery. After repairing its old building after the earthquake, in 1915, Fireman's Fund completed a new building on the old site in the form of a Roman temple. Located across the street from the Bank of California building, which was also in the form of a Roman temple, the Fireman's Fund building "asserted the wealth, stability, and historic roots of the Fireman's Fund Insurance Company." From 1912 through 1927, many other insurance industry buildings were built including a new eight-story office building on Sansome Street for Fireman's Fund which was enlarged with another five stories in 1929. (Nomination p. 38) Collectively these buildings asserted the importance of the industry and its associations with San Francisco history and finance. (Nomination p. 39) Between 1950 and 1960, seven major insurance companies built new offices in San Francisco, and this was a period of growth for San Francisco's insurance industry. (Nomination p. 39)

Staff argues that "the majority of the company's innovations within the insurance industry occurred while the business was housed in its previous location at 401-407 California Street." However, Criterion A focuses on a pattern of events or a historic trend that made a significant contribution, rather than on the location of a majority of the company's innovations. All that is

4. Contributing Resource - Service Building.

Service Building. Staff also uses the wrong standard in arguing that the Service Building, as “an auxiliary building that is secondary to the much-larger main Office Building, the Service Building does not play a critical role in the overall design of the landscape or setting to convey the property’s significance.” A critical role in the overall design is not required.

The rules for counting resources explain that a contributing building or structure adds to the historic associations or historic architectural qualities if “it was present during the period of significance, related to the documented significance of the property, and possesses historic integrity or is capable of yielding important information about the period. (See Attachment 3 hereto, U.S. Department of the Interior, *National Register Bulletin, How to Complete the National Register Registration Form*, pp. 16-17)

The nomination explains that the Office Building and Service Building “were designed to complement each other in character and materials. The Office Building is a glass walled building with an open character. The Service Building is a brick building with a closed character.” (Nomination p. 5) Brick is used as a secondary material in the Office Building, but also as a visual connector to features of the landscaped grounds and to the Service Building. (Nomination p. 7) The “almost windowless Service Building encloses its machinery and utilitarian work space.” *Ibid.* “A brick wall, which takes different forms, provides a continuous and unifying element around the edges of the site.” (Nomination p. 11) “The brick in various sections of this wall and in the pavement patterns of the Terrace and Entrance Court was the same as that used in the Office Building and Service Building and helped to integrate the architecture and landscape.” (Nomination p. 21)

“Together the buildings and landscape of the Fireman’s Fund Home Office constitute a single resource that possesses integrity.” (Nomination p. 27) The nomination describes the character defining features of the Service Building as “Massing of rectangular volumes” and “Brick walls with a minimum of openings.” (Nomination p. 28) The “design of International Style buildings depended on physical features like new technologies and materials. It also depended on a deep understanding of the purpose of buildings and on research on how they are to be used.” (Nomination p. 55) The International Style “also had to do with the expression of the relationship between structure and technology, represented by Louis Sullivan’s statement that ‘form follows function.’ ” (Nomination p. 56).

Since the design of the Service Building addressed contemporary needs and used contemporary materials, that Building related to the documented significance of the property as an example of the International Style of architecture, and was designed to fit within the unifying brick wall and to be a component of it. Thus, the Service Building is a contributing resource that was designed and built during the period of significance.

compliance with the National Register criteria, the developer made no objection to the substantive content of the nomination. During that period, the developer concentrated on securing a deed from the Regents of the University of California ostensibly transferring the fee interest in the property so that the developer could assert an objection to the listing on the National Register without statement of reasons. A public entity such as the Regents is not entitled to object to the listing of a property on the National Register.

Notably, both UCSF and the developer concealed the historic significance of the property from LHIA and its members during the public meetings held by UCSF and the developer prior to the submission of the developer's proposed plans to the City of San Francisco. LHIA learned of the historic significance of the property at the inception of the CEQA review process when the CEQA scoping notice stated that the existing building on the project site is considered a historical resource under CEQA. LHIA then requested the information that the developer had submitted to the City and received a State of California Resources Agency report that referred to the 2010 Carey & Company survey that stated that the property appeared to be eligible for listing in the National Register of Historic Places and California Register of Historic Resources under Criteria A/1 and C/3. (See Attachment 8 hereto, excerpts of State of California - The Resources Agency, *Primary Record*, p. 3 reporting Carey & Co. *UCSF Historic Resources Survey*.)

Since the developer's plans propose to demolish 51 percent of the Fireman's Fund Home Office Building and a substantial amount of its integrated landscaping (See Attachment 9 hereto, developer's plan excerpts), the fact that the developer will now study modifications to his plans that would mitigate adverse impacts to this historic resource, indicates that the developer is also wrong in denigrating the determination of eligibility for the National Register as providing no additional CEQA protection for the resource.

Further, it is quite odd that the anonymous private investors in the limited liability companies formed to profit from developing the property would point to the fact that a neighborhood organization such as the Laurel Heights Improvement Association is a non-profit corporation.

Conclusion

The State Office of Historic Preservation evaluated the nomination for compliance with the National Register criteria, found the criteria satisfied, and placed the matter on the State Commission calendar. Staff's recommendation that the Commission adopt a resolution overall supporting the nomination is consistent with the Commission's role of providing overall assessment and comment.

We appreciate your consideration of this matter.

Very truly yours,

ATTACHMENT 1

The materials Rockrise used for the student housing, their scale, their immediate access to the outdoors – particularly the sliding glass door and wide balconies – and their siting and landscaping, which landscape architect Lawrence Halprin designed, all conform to the principles of the Second Bay Region Tradition. In terms of integrity Aldea 10 retains a high degree of integrity of location, design, setting, workmanship, feeling and association. Some materials have been replaced, such as wood railings or siding, but these alterations are visually compatible. Therefore, Aldea 10 appears to be eligible for listing NRHP/CRHR under Criterion C/3 as an intact example of Second Bay Region Tradition.

745 Parnassus Avenue/Faculty Alumni House

Built in 1915, this two-story building occupies a heavily wooded lot at the southeast corner of 5th Avenue and Judah Street. The L-shaped building faces northwest and wraps around a small enclosed courtyard covered with brick pavers. Textured stucco clads the structure. The primary window type is wood sash, casement. The clay tile-clad, cross-gable roof features exposed rafter tails. The main entrance, which faces the courtyard at the northwest corner of the building, consists of a round projection with a conical roof clad with clay tiles; its door is framed by a deep shaped opening. Three wood, glazed double doors are located at the first story on other side of the main entrance. At the second story, each façade contains four sets of paired casement windows with shutters featuring prominent rivets. The second floor of the west-facing façade overhangs the first and is supported by machicolations. Each gable end features a paired double door at the second story that opens to a small balcony supported by decorative brackets.

The Faculty Alumni House is not known to be associated with persons of significance and therefore does not appear to be eligible for the NRHP/CRHR under Criterion B/2. It does, however, appear to be eligible for the NRHP/CRHR under Criteria A/1 and C/3, for its association with significant developments in the history of UCSF and as an excellent example of Spanish Eclectic architecture with high artistic value. Built for dental students in 1915, the building marks the first attempt to address student needs outside of the classroom. Recreational facilities also coordinated by the dental students followed within a few years. Thus the building expresses early attempts to foster student life at UCSF, rendering it eligible under Criterion A/1. With its stucco cladding, clay tile roof, heavy brackets, rounded entrance and carved archway, the Faculty Alumni House also stands as a fine example of Spanish Eclectic architecture, which was entering its peak of popularity in 1915. The building has not been moved or undergone significant alterations and stands in a residential neighborhood that has changed little since 1915. It thus retains its integrity of location, setting, design, materials, workmanship, feeling, and association.

3333 California Street/Laurel Heights Building

Built in 1957, this four-story building has an irregular plan and occupies the approximate center of an irregular-shaped city block. The intervening spaces are filled with extensive landscaping or parking lots. The concrete slab floors extend beyond the wall surface to form projecting cornices at each floor, and between these projections, an aluminum-sash window wall with dark, slightly mirrored glass forms the exterior walls. Brick veneer covers the walls in certain locations, and the roof is flat. The main entry opens on the north side of the building and features a covered entry with the roof supported on large square brick piers, a small ground-level fountain, and sliding aluminum doors.

The Laurel Heights building appears to be eligible for listing in the NRHP/CRHR under Criteria A/1 and C/3. It stands as the most prominent postwar commercial development in the Laurel Heights neighborhood and dramatically transformed the former cemetery site, rendering it eligible for the NRHP/CRHR under Criterion A/1. No persons of significance are known to be associated with the building; thus it does not appear to be eligible under Criterion B/2. While Edward B. Page was not the most prominent architect in San Francisco during the postwar period, his resume does accord him master

ATTACHMENT 2

CRITERION A: EVENT

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad pattern of our history.

UNDERSTANDING CRITERION A: EVENT

To be considered for listing under Criterion A, a property must be associated with one or more events important in the defined historic context. Criterion A recognizes properties associated with single events, such as the founding of a town, or with a pattern of events, repeated activities, or historic trends, such as the gradual rise of a port city's prominence in trade and commerce. The event or trends, however, must clearly be important within the associated context: settlement, in the case of the town, or development of a maritime economy, in the case of the port city. Moreover, the property must have an important association with the event or historic trends, and it must retain historic integrity. (See Part V: *How to Evaluate a Property Within its Historic Context*.)

Several steps are involved in determining whether a property is significant for its associative values:

- Determine the nature and origin of the property,
- Identify the historic context with which it is associated, and
- Evaluate the property's history to determine whether it is associated with the historic context in any important way.

APPLYING CRITERION A: EVENT

TYPES OF EVENTS

A property can be associated with either (or both) of two types of events:

- A specific event marking an important moment in American prehistory or history and
- A pattern of events or a historic trend that made a significant contribution to the development of a community, a State, or the nation.

Refer to the sidebar on the right for a list of specific examples.

ASSOCIATION OF THE PROPERTY WITH THE EVENTS

The property you are evaluating must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events and to have been associated with those events. A property is *not* eligible if its associations are speculative. For archeological sites, well-reasoned inferences drawn from data recovered at the site can be used to establish the association between the site and the events.

SIGNIFICANCE OF THE ASSOCIATION

Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history.

EXAMPLES OF PROPERTIES ASSOCIATED WITH EVENTS

Properties associated with specific events:

- The site of a battle.
- The building in which an important invention was developed.
- A factory district where a significant strike occurred.
- An archeological site at which a major new aspect of prehistory was discovered, such as the first evidence of man and extinct Pleistocene animals being contemporaneous.
- A site where an important facet of European exploration occurred.

Properties associated with a pattern of events:

- A trail associated with western migration.
- A railroad station that served as the focus of a community's transportation system and commerce.
- A mill district reflecting the importance of textile manufacturing during a given period.
- A building used by an important local social organization.
- A site where prehistoric Native Americans annually gathered for seasonally available resources and for social interaction.
- A downtown district representing a town's growth as the commercial focus of the surrounding agricultural area.

ATTACHMENT 3



This lime pit is one of many contributing archeological sites in Burke's Garden Rural Historic District, in Tazewell County, Virginia. The site contains evidence of the industrial activities that took place during the area's early settlement. (Virginia Department of Historic Resources)

tional Register Multiple Property Documentation Form. Check with the SHPO or FPO for further information about multiple property listings. Enter "N/A" for other properties.

NUMBER OF RESOURCES WITHIN PROPERTY

Enter the number of resources that make up the property in each category. Count contributing resources separately from noncontributing ones. Total each column. Do not include in the count any resources already listed in the National Register.

Completing this item entails three steps:

- Classify each resource by category: building, site, structure, or object. (See *National Register Property and Resource Types* on page 15.)
- Determine whether each resource does or does not contribute to the historic significance of the prop-

erty. (See *Determining Contributing and Noncontributing Resources* below.)

- Count the contributing and noncontributing resources in each category. (See *Rules for Counting Resources* on page 17).

DETERMINING CONTRIBUTING AND NONCONTRIBUTING RESOURCES

The physical characteristics and historic significance of the overall property provide the basis for evaluating component resources. Relate information about each resource, such as date, function, associations, information potential, and physical characteristics, to the significance of the overall property to determine whether or not the resource contributes.

A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archeological values for which a property is significant because:

- it was present during the period of significance, relates to the documented significance of the property, and possesses historic integrity or is capable of yielding important information about the period; or
- it independently meets the National Register criteria. (Identify contributing resources of this type and explain their significance in section 8).

A noncontributing building, site structure, or object does not add to the historic architectural qualities, historic associations, or archeological values for which a property is significant because:

- it was not present during the period of significance or does not relate to the documented significance of the property;
- due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity or is capable of yielding important information about the period; or
- it does not independently meet the National Register criteria.

NUMBER OF CONTRIBUTING RESOURCES PREVIOUSLY LISTED IN THE NATIONAL REGISTER

Enter the number of any contributing resources already listed in the National Register. This includes previously listed National Register properties, National Historic Landmarks, and historic units of the National Park system.

If no resources are already listed, enter "N/A."

For the nomination of a district with 5 previously listed buildings, enter "5."

For a district being enlarged from 26 buildings to 48, enter "26."

J. Gregg Miller, Jr.
D (415) 772-5736
gmiller@coblenzlaw.com

May 16, 2018

San Francisco Historic Preservation Commission
Commission President Wolfram
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: National Register Nomination for Property at 3333 California Street, San Francisco (Item 7 on May 16, 2018 Agenda)

Dear Commission President Wolfram:

This firm represents Laurel Heights Partners LLC ("Owner"), which is the fee owner of the property at 3333 California Street ("Property"). As explained in Owner's April 23, 2018 letter to the Commission, Owner has filed a formal objection to the nomination of the Property, and accordingly the Property cannot be listed on the National Register. We write to express Owner's concurrence with Planning Department staff's recommendations for revisions to the National Register nomination, expressed in the May 2, 2018 National Register Nomination Case Report ("Case Report"), and to encourage the Commission to adopt a resolution consistent with the Case Report's recommendations and staff's specific disagreements with the nomination. We submit this letter with the advice of the Owner's historic preservation consultant, Page & Turnbull, which has reviewed all of the relevant materials and concurs with staff's recommended revisions and this letter.

In particular, we note that the Case Report disagrees with a number of key conclusions reached in the nomination:

1. **National Register Criterion A:**

- a. Staff disagrees that the Property is National Register-eligible for its associations with the Fireman's Fund Insurance Company: "It appears that the majority of the company's innovations within the insurance industry occurred while the business was housed in its previous location at 401-407 California Street."
- b. Staff disagrees that the Property is National Register-eligible for its associations with development of the San Francisco insurance industry: "Furthermore, based on the information provided, the Department disagrees with the finding that the development of the insurance industry in California has made a significant contribution to the broad patterns of California's history and culture, unlike, for example, the aerospace, technology, and film and television industries, all of

San Francisco Historic Preservation Commission
May 16, 2018
Page 2

which have shaped not only the built environment in California, but have also directly influenced California's cultural heritage."

2. **National Register Criterion C:** Staff disagrees that the building architect Edward B. Page should be considered a master architect: "Specifically, staff finds that insufficient evidence exists to consider the building's architect, Edward B. Page, a master architect....Page was not a prolific architect and there is little evidence suggesting he had significant influence on the professional architectural community. Particularly when compared to the notoriety and influence associated with the landscape architecture firm...or the engineering firm...staff finds it difficult to make the argument that Page rises to the status of master architect."
3. **Character-Defining Features:** Staff disagrees that the auxiliary Service Building is a contributing character-defining feature of the Property: "As an auxiliary building that is secondary to the much-larger main Office Building, the Service Building does not play a critical role in the overall design of the landscape or setting to convey the property's significance."

As to the three topics above, staff recommends revisions to the National Register nomination, consisting of reevaluation of the significance justifications under Criterion A and Criterion C, and reevaluation of the Service Building as a contributing structure/character-defining feature.

Owner agrees that the Commission should recommend that the State Historic Resources Commission and State Historic Preservation Officer revise the National Register nomination as suggested by staff, for the reasons discussed in the Case Report.

Respectfully submitted,



Gregg Miller

cc: J. Gordon Turnbull, FAIA, Principal, Page & Turnbull



Received at HPC Hearing 5/16/18
D. Smith

Laurel Heights Improvement Association of San Francisco, Inc.

BY E-MAIL

May 15, 2018

President Andrew Wolfram and
Commissioners Hyland, Black, Johnck, Johns, Matsuda and Pearlman
San Francisco Historic Preservation Commission

Re: 3333 California Street/2018-004346FED
May 16, 2018 San Francisco Historic Preservation Commission

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San Francisco Historic Preservation Commission
May 15, 2018
Page 2

California Street property appeared to be eligible for listing in the National Register of Historic Places and California Register of Historic Resources under criteria A/1 and C/3 and that as to its architect **Edward B. Page**:

“While Edward B. Page was not the most prominent architect in San Francisco during the postwar period, **his resume does accord him master architect status.**” (See Attachment 1 hereto, Carey & Company, *UCSF Historic Resources Survey* (2011), p. 46 emphasis added)

Carey & Company is one of the oldest and most established historical architecture firms in San Francisco and their survey was commissioned by UCSF which was then the owner of the property.

San Francisco Planning Department staff fails to relate their conclusion to the definition of a master in the National Register criteria. A “master” includes “**a known craftsman of consummate skill**, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality” as well as “a figure of generally recognized greatness in a field.” “The property must express a particular phase in the development of the master’s career, an aspect of his or her work, or a particular idea or theme in his or her craft.” (See Attachment 2 hereto, U.S. Department of the Interior, *National Register Bulletin, How to Apply the National Register Criteria for Evaluation* (1995) p. 20, emphasis added.) The criteria do not require that an architect be “prolific” or have had significant influence on the architectural community, as staff suggests.

Also, the nomination explains that:

On the Fireman’s Fund project, Page coordinated the contributions of all. He was described as ‘**the master**’ by Loring Wylie, an engineer in the Degenkolb office who had a major role working on the additions of the 1960s. Wylie remembered Page’s deep involvement with and lead in solving issues with expansion joints as representative of his high level of competence and control. On another technical matter, he designed an innovative system of dispersed lighting for Fireman’s Fund in an effort to provide better working conditions. (Nomination, p. 43)

Also, Planning staff omits many projects of architect Edward Page documented in the nomination and bases its arguments on staff’s inaccurate characterization of which of Mr. Page’s “later” projects were “major.”

Staff fails to mention many other projects of Edward Page documented in the nomination, including the following:

“In 1947, Page opened his own office in San Francisco. Many of his early projects were in association with others, including the Glen Craggs Housing Project with Wilbur D. Peugh in 1951 and two schools with Cantin & Cantin in 1952. **His design for the 1954 Mason B. Wells house in Belvedere won an Award of Merit from the Northern California Chapter of the American Institute of Architects...**

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“As to earlier projects when working in the office of Bakewell & Weihe, “...Page was allowed to work there on his own projects and in 1937-1938 was a draftsman for the Golden Gate International Exposition (G.G.I.E.). Later in life he remembered his design for the Island Club (demolished) at the G.G.I.E. with particular pride....

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Staff erroneously argues that to be a “master” an architect must have been “prolific,” or have “had significant influence on the professional architectural community” or that the architect’s “notoriety and influence” be compared with that of other firms. The National Register’s definition of a “master” as including “**a known craftsman of consummate skill**” does not set forth the hurdles proposed by staff. The work on the Fireman’s Fund building that represented a phase in his career and made Edward Page locally recognized as a master is sufficient, and the criteria do not require that he have built a string of buildings. Evaluation of quality is not equivalent to quantity.

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Criterion A. An important event that satisfies criterion A includes “A pattern of events or a historic trend that made a significant contribution to the development of a **community**, a State, or the nation.” (See Attachment 2 hereto, U.S. Department of the Interior, *National Register Bulletin, How to Apply the National Register Criteria for Evaluation* (1995) p. 12, emphasis added. The nomination documents the manner in which the insurance industry and Fireman’s

Fund made a significant contribution to the development of San Francisco and does not have show it was the most important industry or had a statewide influence.

Staff erroneously argues that a statewide contribution is required. The nomination clearly states that property is eligible under “Criteria A and C at the local level.” (Nomination p. 32)

The nomination states that “

”Under Criterion A, it is significant in the area of Commerce for its association with the San Francisco insurance industry, an important industry in the history of the city from the Gold Rush to the present. In particular, it represents the postwar boom in San Francisco’s insurance industry when many companies built new office buildings. At that time, Fireman’s Fund was one of the largest insurance companies in the United States. It was the only major insurance company headquartered in San Francisco. It was a leader among all insurance companies in San Francisco in its embrace of new ideas, symbolized by its move away from downtown to an outlying location. Under Criterion A, the Fireman’s Fund Home Office is significant in the area of Community Planning and Development as one of the principal embodiments of the postwar decentralization and suburbanization of San Francisco. Fireman’s Fund was the first major office building to be built outside of downtown in a suburban setting and it was the first whose design was fully adapted to the automobile.” (Nomination, p. 32)

Again, UCSF’s historical consultant Carey & Company agreed that the Laurel Heights building “stands as the most prominent postwar commercial development in the Laurel Heights neighborhood and dramatically transformed the former cemetery site, rendering it eligible for the NRHP/CRHP under Criterion A/1.” (See Attachment 1 hereto, Carey & Company, *UCSF Historic Resources Survey* (2011), p. 46)

Instead of focusing on the contributions of Fireman’s Fund Insurance Company and the insurance industry to a pattern of events or a historic trend that made a significant contribution to the development of the **community** of San Francisco, staff erroneously claims that a contribution must be shown “to the broad patterns of California’s history and culture.” Only a significant contribution to the development of a **local** community is required, and the nomination shows that the insurance industry had significance in San Francisco and Fireman’s Fund was a significant insurance company in San Francisco. Also, staff erroneously argues that the aerospace, technology, and film and television industries, “have shaped not only the built environment in California, but have also directly influenced California’s cultural heritage.” Criterion A relates to a pattern of events or a historic trend that made a significant contribution to the development of a community and does not require a showing of influence on cultural heritage.

The nomination explains that the Fireman’s Fund Insurance Company building is important for

its association with the growth and development of the San Francisco insurance, an important industry in the history of the city from the Gold Rush to the present. (Nomination p. 40) One outcome of the rapid growth of the city was the haphazard construction of its buildings in flammable materials, which resulted in destruction by fire six times in the 1850s of large parts of the city. (Nomination p. 36) San Francisco's reliance upon maritime commerce and its frequent large and destructive fires quickly gave rise to an insurance industry. (Nomination p. 36) This industry would play an important role in the local economy as an employer and as a source of investment money in the region, and San Francisco became a center for the insurance industry on the west coast. (Nomination p. 36) Among more than thirty local insurance companies formed in San Francisco in the 1850s-1860s, Fireman's Fund, formed in 1863, was among the few San Francisco companies that became well-established and among these it was the only one left in business by 1985. (Nomination, p. 37)

Fireman's Fund succeeded because it established branch agencies, paid its claims in a number of high risk and high profile situations which gave it a reputation for honesty and reliability, had wealthy owners who could provide enough capital to survive in more than one case, and made key innovations on a number of occasions that proved to be influential within the industry. (Nomination, p. 37) In 1867, the company built an imposing headquarters in a prestigious location at California and Sansome Streets. (Nomination p. 37). For the rest of the 19th century, the company prospered while taking over other San Francisco insurance companies and expanding its operations. (Nomination p. 37)

Fireman's Fund was by far the leading local insurance company at the time of the 1906 San Francisco earthquake and fire. It paid all claims by assessing its stockholders and paying in installments. (Nomination p. 38) Like the most prestigious banks, San Francisco insurance companies preferred to locate on California Street near Montgomery. After repairing its old building after the earthquake, in 1915, Fireman's Fund completed a new building on the old site in the form of a Roman temple. Located across the street from the Bank of California building, which was also in the form of a Roman temple, the Fireman's Fund building "asserted the wealth, stability, and historic roots of the Fireman's Fund Insurance Company." From 1912 through 1927, many other insurance industry buildings were built including a new eight-story office building on Sansome Street for Fireman's Fund which was enlarged with another five stories in 1929. (Nomination p. 38) Collectively these buildings asserted the importance of the industry and its associations with San Francisco history and finance. (Nomination p. 39) Between 1950 and 1960, seven major insurance companies built new offices in San Francisco, and this was a period of growth for San Francisco's insurance industry. (Nomination p. 39)

Staff argues that "the majority of the company's innovations within the insurance industry occurred while the business was housed in its previous location at 401-407 California Street." However, Criterion A focuses on a pattern of events or a historic trend that made a significant contribution, rather than on the location of a majority of the company's innovations. All that is

needed is association with certain events and if one innovation occurred when the Home Office was in existence, a minority of the company's innovations could be significant. A majority of innovations at the location is not required.

The nomination actually documents innovations that occurred after the opening of the Fireman's Fund Home Office Building. At that time, "An important and newsworthy source of new business was in the category of inland marine insurance which "will insure any insurable interest against all perils anywhere in the world. This covered motion pictures and their casts, rodeo performers, professional athletes, and other types of activity. Fireman's Fund was second internationally to Lloyd's of London in providing this type of insurance and was often in the news for this line of work." (Nomination p. 40) In 1963, Fireman's Fund combined with the American Insurance Company of Newark, New Jersey, with Fireman's Fund becoming a holding company and stating in an advertisement that it was "the largest property and casualty insurance company headquartered in the West. It offers every basic line of insurance for both personal and commercial coverage through more than 25,000 agents and brokers...". In this period, substantial additions to the Laurel Heights building were made. Thus, the Fireman's Fund Home Office was associated with a pattern of events that made a significant contribution to the development of San Francisco.

3. Additional Accolade for Landscape Architect

Criterion C. Master Landscape Architect. Staff agrees that the property is locally significant for its association with the master landscape architecture firm of Eckbo, Royston & Williams (ERW)/Eckbo, Austin, Dean and Williams (EDAW). Staff suggests that reference could be made to a number of accolades and associations not mentioned in the nomination, including a memorial tribute. However, such supplementation is unnecessary, as the nomination discusses a history that accompanied an award presented to EDAW by the American Society of Landscape Architects that noted that ERW "established a compelling portfolio of modernist landscapes" and the partnership became "one of the leading firms in the country, highly regarded for its advanced planning, innovative vocabulary, and the quality of execution." The nomination also discussed that in 1950, ERW was awarded the Gold Medal in Landscape Architecture by the New York Architectural League. (Nomination p. 46) The nomination also explained that ERW was regularly written about in popular magazines, completed gardens in four states and was a pioneer in expanding the practice of landscape architecture into the scale of neighborhood and community design. (Nomination p. 47) Park and playground projects gained the attention of the national media, and the firm worked on numerous new housing projects and public outdoor spaces including the Venetian Room Roof Garden at the Fairmont Hotel, the entrance court to the Palace of the Legion of Honor and St. Mary's Park. (Nomination p. 47-48) The criteria do not require mention of every accolade or association of the master.

4. Contributing Resource - Service Building.

Service Building. Staff also uses the wrong standard in arguing that the Service Building, as “an auxiliary building that is secondary to the much-larger main Office Building, the Service Building does not play a critical role in the overall design of the landscape or setting to convey the property’s significance.” A critical role in the overall design is not required.

The rules for counting resources explain that a contributing building or structure adds to the historic associations or historic architectural qualities if “it was present during the period of significance, related to the documented significance of the property, and possesses historic integrity or is capable of yielding important information about the period. (See Attachment 3 hereto, U.S. Department of the Interior, *National Register Bulletin, How to Complete the National Register Registration Form*, pp. 16-17)

The nomination explains that the Office Building and Service Building “were designed to complement each other in character and materials. The Office Building is a glass walled building with an open character. The Service Building is a brick building with a closed character.” (Nomination p. 5) Brick is used as a secondary material in the Office Building, but also as a visual connector to features of the landscaped grounds and to the Service Building. (Nomination p. 7) The “almost windowless Service Building encloses its machinery and utilitarian work space.” *Ibid.* “A brick wall, which takes different forms, provides a continuous and unifying element around the edges of the site.” (Nomination p. 11) “The brick in various sections of this wall and in the pavement patterns of the Terrace and Entrance Court was the same as that used in the Office Building and Service Building and helped to integrate the architecture and landscape.” (Nomination p. 21)

“Together the buildings and landscape of the Fireman’s Fund Home Office constitute a single resource that possesses integrity.” (Nomination p. 27) The nomination describes the character defining features of the Service Building as “Massing of rectangular volumes” and “Brick walls with a minimum of openings.” (Nomination p. 28) The “design of International Style buildings depended on physical features like new technologies and materials. It also depended on a deep understanding of the purpose of buildings and on research on how they are to be used.” (Nomination p. 55) The International Style “also had to do with the expression of the relationship between structure and technology, represented by Louis Sullivan’s statement that ‘form follows function.’ ” (Nomination p. 56).

Since the design of the Service Building addressed contemporary needs and used contemporary materials, that Building related to the documented significance of the property as an example of the International Style of architecture, and was designed to fit within the unifying brick wall and to be a component of it. Thus, the Service Building is a contributing resource that was designed and built during the period of significance.

5. Errors and Inaccuracies in Developer's Letter to Commission President

The April 23, 2018 letter from developer Laurel Heights Partners LLC incorrectly asserts that as a result of its objection to the nomination of the property, "at most" the property could be "determined eligible" for listing. As the State of California Office of Historic Preservation has explained to the Laurel Heights Improvement Association (LHIA):

"In addition, as of January 1, 1993, all National Register properties are now automatically included in the California Register of Historical Resources (California Register) and afforded consideration during the State (CEQA) environmental review process. This includes properties formally determined eligible for the National Register." (See Attachment 4 hereto- Letter dated March 15, 2018 from Office of Historic Preservation to LHIA)

With reference to the Planning Department's Modern Design Historic Context Statement, Appendix B thereto relates to "Additional Modern Architects," and states that "future research is required to document their significance and works in San Francisco." (See Attachment 5 hereto, San Francisco Planning Department, *Modern Design Historic Context Statement*, Appendix B, p. 1) Architect Edward Page and Eckbo, Royston & Williams (landscaping) were listed in connection with the Fireman's Fund Indemnity Company at 3333 California Street on Appendix B, but the developer erroneously characterizes the Historic Context Statement as a "comprehensive review and analysis of modern architecture in San Francisco." Rather, the Historic Context Statement makes it clear that it was developed "to provide the framework for consistent, informed evaluations of San Francisco's Modern buildings and landscapes" and was intended to be used "to inform historic and cultural resource surveys and to ensure that property evaluations are consistent with local, state, and federal standards." (Attachment 5, p. 1)

Importantly, the Laurel Heights Improvement Association has consistently advocated for all-residential redevelopment of the site and has opposed the developer's request to commercialize the site and change its zoning to allow retail uses and a new office building. (See Attachment 6 hereto - May 31, 2017 letter to the Honorable Mark Farrell and excerpt from Petition supporting all-residential redevelopment and opposing rezoning for retail and new office use.) LHIA has consistently maintained that the residentially-zoned site (RM-1) is appropriate for residential development, but the developer doggedly seeks to change the entitlements allowed on the property. LHIA supports adaptive reuse of the office building for housing, following the Secretary of Interior's standards.

Also, contrary to the developer's false statement, LHIA informed the developer and the UC Regents of the nomination before LHIA submitted it to the State Office of Historic Preservation. (See Attachment 7 hereto, e-mail dated February 8, 2018 to the Regents of the University of California, copied to Dan Safier) During the months that the State evaluated the nomination for

compliance with the National Register criteria, the developer made no objection to the substantive content of the nomination. During that period, the developer concentrated on securing a deed from the Regents of the University of California ostensibly transferring the fee interest in the property so that the developer could assert an objection to the listing on the National Register without statement of reasons. A public entity such as the Regents is not entitled to object to the listing of a property on the National Register.

Notably, both UCSF and the developer concealed the historic significance of the property from LHIA and its members during the public meetings held by UCSF and the developer prior to the submission of the developer's proposed plans to the City of San Francisco. LHIA learned of the historic significance of the property at the inception of the CEQA review process when the CEQA scoping notice stated that the existing building on the project site is considered a historical resource under CEQA. LHIA then requested the information that the developer had submitted to the City and received a State of California Resources Agency report that referred to the 2010 Carey & Company survey that stated that the property appeared to be eligible for listing in the National Register of Historic Places and California Register of Historic Resources under Criteria A/1 and C/3. (See Attachment 8 hereto, excerpts of State of California - The Resources Agency, *Primary Record*, p. 3 reporting Carey & Co. *UCSF Historic Resources Survey*.)

Since the developer's plans propose to demolish 51 percent of the Fireman's Fund Home Office Building and a substantial amount of its integrated landscaping (See Attachment 9 hereto, developer's plan excerpts), the fact that the developer will now study modifications to his plans that would mitigate adverse impacts to this historic resource, indicates that the developer is also wrong in denigrating the determination of eligibility for the National Register as providing no additional CEQA protection for the resource.

Further, it is quite odd that the anonymous private investors in the limited liability companies formed to profit from developing the property would point to the fact that a neighborhood organization such as the Laurel Heights Improvement Association is a non-profit corporation.

Conclusion

The State Office of Historic Preservation evaluated the nomination for compliance with the National Register criteria, found the criteria satisfied, and placed the matter on the State Commission calendar. Staff's recommendation that the Commission adopt a resolution overall supporting the nomination is consistent with the Commission's role of providing overall assessment and comment.

We appreciate your consideration of this matter.

Very truly yours,

San Francisco Historic Preservation Commission

May 15, 2018

Page 10

Laurel Heights Improvement Association of San Francisco, Inc.



By: Kathryn Devincenzi, Vice-President

22 Iris Avenue, San Francisco, CA 94118

Telephone: (415) 221-4700

Attachments:

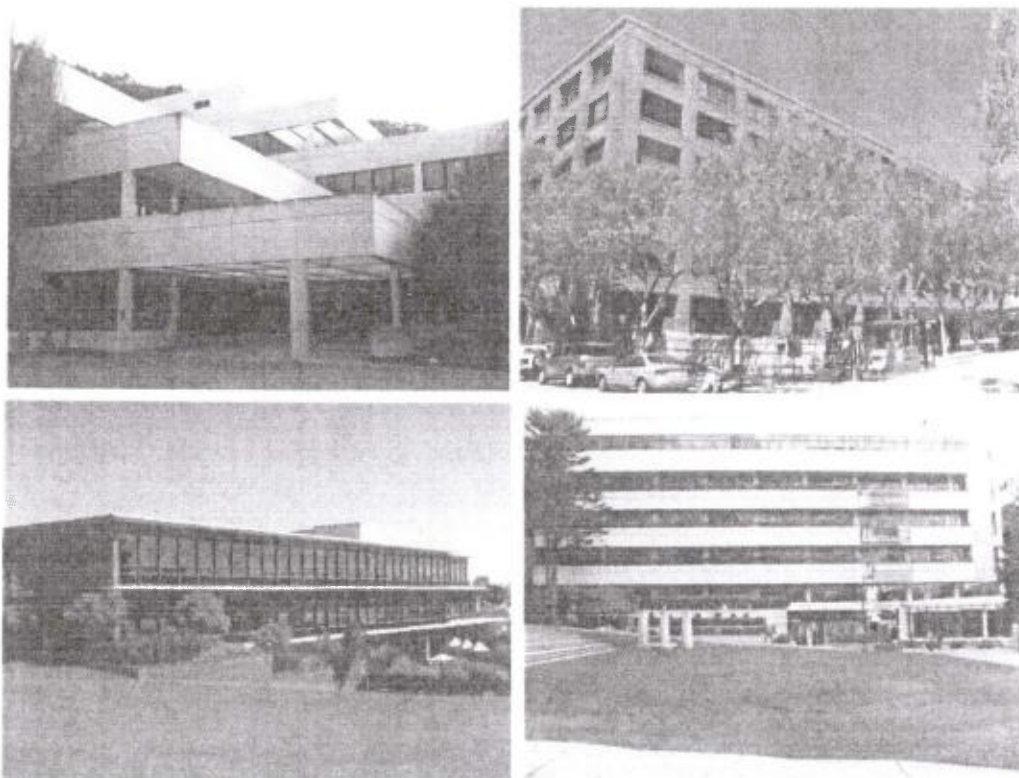
- 1 - Carey & Company, *UCSF Historic Resources Survey* (2011)
- 2 - U.S. Department of the Interior, *National Register Bulletin, How to Apply the National Register Criteria for Evaluation* (1995) pp. 12, 20
- 3 - U.S. Department of the Interior, *National Register Bulletin, How to Complete the National Register Registration Form*, pp. 16-17
- 4 - Letter dated March 15, 2018 from Office of Historic Preservation to LHIA
- 5 - San Francisco Planning Department, *Modern Design Historic Context Statement*, p. 1 and Appendix B, p. 1
- 6 - May 31, 2017 letter to the Honorable Mark Farrell and excerpt from Petition supporting all-residential redevelopment and opposing rezoning for retail and new office use
- 7 - E-mail dated February 8, 2018 to the Regents of the University of California, copied to Dan Safier
- 8 - Excerpts of State of California - The Resources Agency, *Primary Record*, p. 3 reporting Carey & Co. *UCSF Historic Resources Survey*
- 9 - Developer's plan excerpts

ATTACHMENT 1

UCSF HISTORIC RESOURCES SURVEY

San Francisco, California

February 8, 2011



Prepared for

University of California, San Francisco

Prepared by



Office of the President
University of California, San Francisco

The materials Rockrise used for the student housing, their scale, their immediate access to the outdoors – particularly the sliding glass door and wide balconies – and their siting and landscaping, which landscape architect Lawrence Halprin designed, all conform to the principles of the Second Bay Region Tradition. In terms of integrity Aldea 10 retains a high degree of integrity of location, design, setting, workmanship, feeling and association. Some materials have been replaced, such as wood railings or siding, but these alterations are visually compatible. Therefore, Aldea 10 appears to be eligible for listing NRHP/CRHR under Criterion C/3 as an intact example of Second Bay Region Tradition.

745 Parnassus Avenue/Faculty Alumni House

Built in 1915, this two-story building occupies a heavily wooded lot at the southeast corner of 5th Avenue and Judah Street. The L-shaped building faces northwest and wraps around a small enclosed courtyard covered with brick pavers. Textured stucco clads the structure. The primary window type is wood sash, casement. The clay tile-clad, cross-gable roof features exposed rafter tails. The main entrance, which faces the courtyard at the northwest corner of the building, consists of a round projection with a conical roof clad with clay tiles; its door is framed by a deep shaped opening. Three wood, glazed double doors are located at the first story on other side of the main entrance. At the second story, each façade contains four sets of paired casement windows with shutters featuring prominent rivets. The second floor of the west-facing façade overhangs the first and is supported by machicolations. Each gable end features a paired double door at the second story that opens to a small balcony supported by decorative brackets.

The Faculty Alumni House is not known to be associated with persons of significance and therefore does not appear to be eligible for the NRHP/CRHR under Criterion B/2. It does, however, appear to be eligible for the NRHP/CRHR under Criteria A/1 and C/3, for its association with significant developments in the history of UCSF and as an excellent example of Spanish Eclectic architecture with high artistic value. Built for dental students in 1915, the building marks the first attempt to address student needs outside of the classroom. Recreational facilities also coordinated by the dental students followed within a few years. Thus the building expresses early attempts to foster student life at UCSF, rendering it eligible under Criterion A/1. With its stucco cladding, clay tile roof, heavy brackets, rounded entrance and carved archway, the Faculty Alumni House also stands as a fine example of Spanish Eclectic architecture, which was entering its peak of popularity in 1915. The building has not been moved or undergone significant alterations and stands in a residential neighborhood that has changed little since 1915. It thus retains its integrity of location, setting, design, materials, workmanship, feeling, and association.

3333 California Street/Laurel Heights Building

Built in 1957, this four-story building has an irregular plan and occupies the approximate center of an irregular-shaped city block. The intervening spaces are filled with extensive landscaping or parking lots. The concrete slab floors extend beyond the wall surface to form projecting cornices at each floor, and between these projections, an aluminum-sash window wall with dark, slightly mirrored glass forms the exterior walls. Brick veneer covers the walls in certain locations, and the roof is flat. The main entry opens on the north side of the building and features a covered entry with the roof supported on large square brick piers, a small ground-level fountain, and sliding aluminum doors.

The Laurel Heights building appears to be eligible for listing in the NRHP/CRHR under Criteria A/1 and C/3. It stands as the most prominent postwar commercial development in the Laurel Heights neighborhood and dramatically transformed the former cemetery site, rendering it eligible for the NRHP/CRHR under Criterion A/1. No persons of significance are known to be associated with the building; thus it does not appear to be eligible under Criterion B/2. While Edward B. Page was not the most prominent architect in San Francisco during the postwar period, his resume does accord him master

architect status. More importantly, this main building at the Laurel Heights campus is an excellent example of mid-century Modernism and the International Style. Its horizontality makes it a particularly good regional example of the architectural style. For these reasons the building appears to be eligible for the NRHP/CRHR under Criterion C/3.

The Firemen's Fund Insurance Company Building at Laurel Heights retains excellent integrity. It has not been moved and its surroundings have not undergone many alterations. Thus the building retains its integrity in all seven categories – location, setting, design, materials, workmanship, feeling, and association.

513 Parnassus Avenue/Medical Sciences Building

Built in 1954, this L-shaped building rises 17 stories on a steel structural frame and forms the east boundary and part of the north boundary of the Parnassus Heights campus' Saunders Courtyard. The north elevation faces Parnassus Avenue and features ten structural bays. Masonry panels clad the first and tenth bays. In the remaining bays, masonry spandrels with horizontal ribbing separate horizontal bands of aluminum windows. Four exhaust shafts enclosed in masonry panels project from the wall surface and rise from the second story to above the roof line. The ground floor features floor-to-ceiling aluminum windows separated by dark masonry panels at the structural columns. Monumental stairs rise approximately four feet above the sidewalk level to the main entry, where three columns support a flat entry roof. On the south and west elevations facing Saunders Courtyard, masonry panels cover the wall surfaces and separate horizontal bands of aluminum windows. Projecting metal brackets used to support exposed mechanical pipes and ducts attach to the wall surface in line with the structural columns.

The Medical Sciences Building was constructed at a time when UCSF was undergoing its most significant metamorphosis since the Affiliated Colleges were founded in the 1890s. Enrollment skyrocketed during the postwar years and the institution received unprecedented levels of government funding for research and curriculum development. New buildings were added rapidly to meet the demand and reflect the growing prestige. Within this context, MSB appears eligible for listing in the NRHP/CRHR under Criterion A/1, for its association with events or historic themes of significance in UCSF's history. It also stands as a good example of mid-century hospital architecture and the shift from Palladian Style campuses to International Style, highrise buildings. Blanchard and Maher, while not the most prominent architects in the San Francisco Bay Area, also rise to the level of master architects and this building stands as one of the firm's most prominent buildings in San Francisco. Thus, MSB appears to be eligible for the NRHP/CRHR under Criterion C/3. The building is not known to be associated with persons significant to history and therefore does not appear to be eligible for the NRHP/CRHR under Criterion B/2.

MSB has undergone some alterations but appears to retain a good degree of integrity to convey its historical significance. It has not been moved and continues to stand between Moffitt Hospital and the Clinical Sciences building, down the road from LPPI, and among hospital and medical school facilities. Thus it retains its integrity of location, setting, association, and feeling. The building has undergone some alterations, most notably a new exit to Saunders Court and a glass shaft containing a stairwell and vents on the west elevation. As these alterations occur on secondary elevations and are not notable on the primary, Parnassus Avenue façade, they do not significantly detract from the building's overall design, materials, and workmanship. Thus the building retains a good degree of integrity in these areas.

707 Parnassus Avenue/School of Dentistry

Built in 1979, this L-shaped building rises four stories and steps back to form terraces. The lot contains a parking lot to the south and a partially wooded green space at the north. This reinforced concrete

ATTACHMENT 2

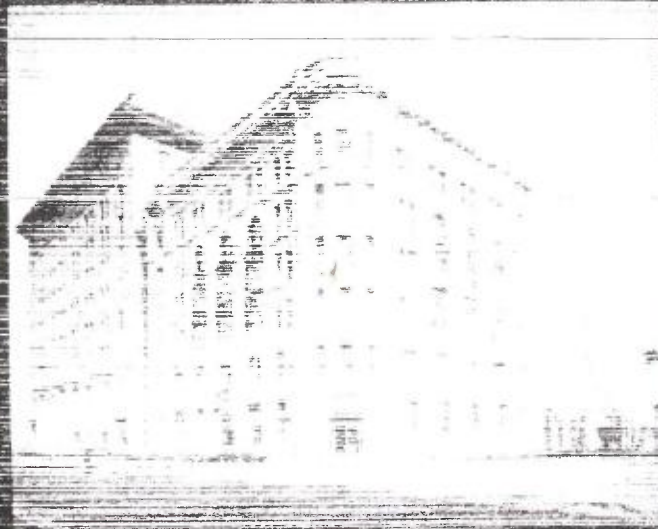
NATIONAL REGISTER BULLETIN

Technical information on the the National Register of Historic Places:
survey, evaluation, registration, and preservation of cultural resources



U.S. Department of the Interior
National Park Service
Cultural Resources
National Register, History and Education

How to Apply the National Register Criteria for Evaluation



CRITERION A: EVENT

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad pattern of our history.

UNDERSTANDING CRITERION A: EVENT

To be considered for listing under Criterion A, a property must be associated with one or more events important in the defined historic context. Criterion A recognizes properties associated with single events, such as the founding of a town, or with a pattern of events, repeated activities, or historic trends, such as the gradual rise of a port city's prominence in trade and commerce. The event or trends, however, must clearly be important within the associated context: settlement, in the case of the town, or development of a maritime economy, in the case of the port city. Moreover, the property must have an important association with the event or historic trends, and it must retain historic integrity. (See *Part V: How to Evaluate a Property Within its Historic Context*.)

Several steps are involved in determining whether a property is significant for its associative values:

- Determine the nature and origin of the property,
- Identify the historic context with which it is associated, and
- Evaluate the property's history to determine whether it is associated with the historic context in any important way.

APPLYING CRITERION A: EVENT

TYPES OF EVENTS

A property can be associated with either (or both) of two types of events:

- A specific event marking an important moment in American prehistory or history and
- A pattern of events or a historic trend that made a significant contribution to the development of a community, a State, or the nation.

Refer to the sidebar on the right for a list of specific examples.

ASSOCIATION OF THE PROPERTY WITH THE EVENTS

The property you are evaluating must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events and to have been associated with those events. A property is *not* eligible if its associations are speculative. For archeological sites, well-reasoned inferences drawn from data recovered at the site can be used to establish the association between the site and the events.

SIGNIFICANCE OF THE ASSOCIATION

Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history.

EXAMPLES OF PROPERTIES ASSOCIATED WITH EVENTS

Properties associated with specific events:

- The site of a battle.
- The building in which an important invention was developed.
- A factory district where a significant strike occurred.
- An archeological site at which a major new aspect of prehistory was discovered, such as the first evidence of man and extinct Pleistocene animals being contemporaneous.
- A site where an important facet of European exploration occurred.

Properties associated with a pattern of events:

- A trail associated with western migration.
- A railroad station that served as the focus of a community's transportation system and commerce.
- A mill district reflecting the importance of textile manufacturing during a given period.
- A building used by an important local social organization.
- A site where prehistoric Native Americans annually gathered for seasonally available resources and for social interaction.
- A downtown district representing a town's growth as the commercial focus of the surrounding agricultural area.

WORKS OF A MASTER

A master is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality. The property must express a particular phase in the development of the master's career, an aspect of his or her work, or a particular idea or theme in his or her craft.

A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect. For example, not every building designed by Frank Lloyd Wright is eligible under this portion of Criterion C, although it might meet other portions of the Criterion, for instance as a representative of the Prairie style.

The work of an unidentified craftsman is eligible if it rises above the level of workmanship of the other properties encompassed by the historic context.

PROPERTIES POSSESSING HIGH ARTISTIC VALUES

High artistic values may be expressed in many ways, including areas as diverse as community design or planning, engineering, and sculpture. A property is eligible for its high artistic values if it so fully articulates a particular concept of design that it expresses an aesthetic ideal. A property is not eligible, however, if it does not express aesthetic ideals or design concepts more fully than other properties of its type.

Eligible

- A sculpture in a town square that epitomizes the design principles of the Art Deco style is eligible.
- A building that is a classic expression of the design theories of the Craftsman Style, such as carefully detailed handwork, is eligible.
- A landscaped park that synthesizes early 20th century principles of landscape architecture and expresses an aesthetic ideal of environment can be eligible.
- Properties that are important representatives of the aesthetic values of a cultural group, such as petroglyphs and ground drawings by Native Americans, are eligible.

Not Eligible

- A sculpture in a town square that is a typical example of sculpture design during its period would not qualify for high artistic value, although it might be eligible if it were significant for other reasons.
- A building that is a modest example (within its historic context) of the Craftsman Style of architecture, or a landscaped park that is characteristic of turn of the century landscape design would not qualify for high artistic value.

A Significant and Distinguishable Entity Whose Components May Lack Individual Distinction. This portion of Criterion C refers to districts. For detailed information on districts, refer to *Part IV* of this bulletin.

ATTACHMENT 3

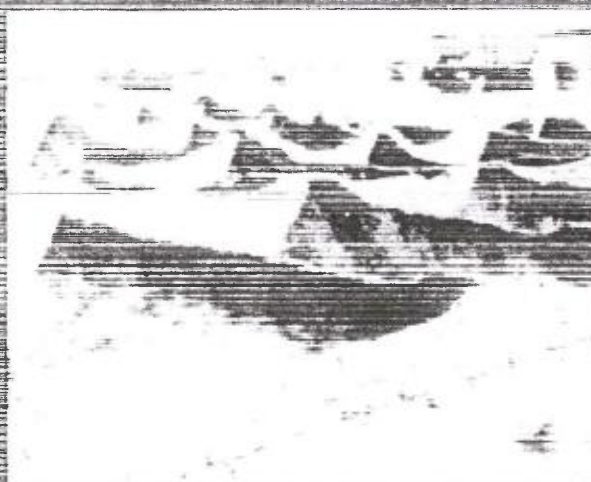
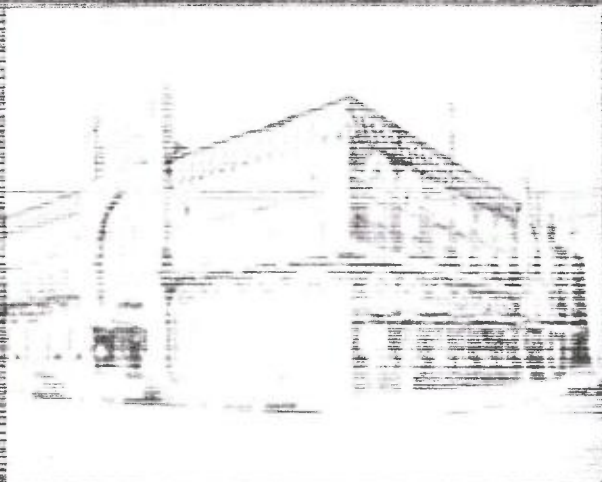
NATIONAL REGISTER BULLETIN

Technical information on the the National Register of Historic Places
survey, evaluation, registration, and preservation of cultural resources



U.S. Department of the Interior
National Park Service
Cultural Resources
National Register History and Education

How to Complete the National Register Registration Form





This limepot is one of many contributing archeological sites in Burke's Garden Rural Historic District, in Tazewell County, Virginia. The site contains evidence of the industrial activities that took place during the area's early settlement (Virginia Department of Historic Resources)

tional Register Multiple Property Documentation Form. Check with the SHPO or FPO for further information about multiple property listings. Enter "N/A" for other properties.

NUMBER OF RESOURCES WITHIN PROPERTY

Enter the number of resources that make up the property in each category. Count contributing resources separately from noncontributing ones. Total each column. Do not include in the count any resources already listed in the National Register. Completing this item entails three steps:

- Classify each resource by category: building, site, structure, or object. (See *National Register Property and Resource Types* on page 15.)
- Determine whether each resource does or does not contribute to the historic significance of the prop-

erty. (See *Determining Contributing and Noncontributing Resources* below.)

- Count the contributing and noncontributing resources in each category. (See *Rules for Counting Resources* on page 17).

DETERMINING CONTRIBUTING AND NONCONTRIBUTING RESOURCES

The physical characteristics and historic significance of the overall property provide the basis for evaluating component resources. Relate information about each resource, such as date, function, associations, information potential, and physical characteristics, to the significance of the overall property to determine whether or not the resource contributes.

A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archeological values for which a property is significant because:

- it was present during the period of significance, relates to the documented significance of the property, and possesses historic integrity or is capable of yielding important information about the period; or
- it independently meets the National Register criteria. (Identify contributing resources of this type and explain their significance in section 8).

A noncontributing building, site structure, or object does not add to the historic architectural qualities, historic associations, or archeological values for which a property is significant because:

- it was not present during the period of significance or does not relate to the documented significance of the property;
- due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity or is capable of yielding important information about the period; or
- it does not independently meet the National Register criteria.

NUMBER OF CONTRIBUTING RESOURCES PREVIOUSLY LISTED IN THE NATIONAL REGISTER

Enter the number of any contributing resources already listed in the National Register. This includes previously listed National Register properties, National Historic Landmarks, and historic units of the National Park system.

If no resources are already listed, enter "N/A."

For the nomination of a district with 5 previously listed buildings, enter "5."

For a district being enlarged from 26 buildings to 48, enter "26."

RULES FOR COUNTING RESOURCES

- Count all buildings, structures, sites, and objects located within the property's boundaries that are **substantial in size and scale**. Do not count minor resources, such as small sheds or grave markers, unless they strongly contribute to the property's historic significance.
- Count a building or structure with attached ancillary structures, covered walkways, and additions as a single unit unless the attachment was originally constructed as a separate building or structure and later connected. Count rowhouses individually, even though attached.
- Do not count interiors, facades, or artwork separately from the building or structure of which they are a part.
- Count gardens, parks, vacant lots, or open spaces as "sites" only if they contribute to the significance of the property.
- Count a continuous site as a single unit regardless of its size or complexity.
- Count separate areas of a discontinuous archeological district as separate sites.
- Do not count ruins separately from the site of which they are a part.
- Do not count landscape features, such as fences and paths, separately from the site of which they are a part unless they are particularly important or large in size and scale, such as a statue by a well-known sculptor or an extensive system of irrigation ditches.

If a group of resources, such as backyard sheds in a residential district, **was not identified during a site inspection** and cannot be included in the count, state that this is the case and explain why in the narrative for section 7.

For additional guidance, contact the SHPO or refer to the National Register bulletin entitled *Guidelines for Counting Resources*.

EXAMPLES OF RESOURCE COUNTS

A row of townhouses containing 12 units	=	12 contributing buildings
A train station consisting of a depot with an attached system of canopies, platforms, tunnels, and waiting rooms	=	one contributing building
A firetower consisting of a tower and attached ranger's dwelling	=	one contributing structure
A church adjoined by a historically associated cemetery	=	one contributing building or one contributing site
A district consisting of 267 residences, five carriage houses, three privies of a significant type, a small landscaped park, and a bridge built during the district's period of significance plus 35 houses, 23 garages, and an undetermined number of sheds built after the period of significance	=	275 contributing buildings, one contributing structure, one contributing site, and 58 noncontributing buildings. The sheds are not counted.
An archeological district consisting of the ruins of one pueblo, a network of historic irrigation canals, and a modern electric substation	=	one contributing site, one contributing structure, and one noncontributing building

ATTACHMENT 4



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

March 15, 2018

John Rothman, President
Kathryn Devincenzi, Vice President
Laurel Heights Improvement Association of San Francisco
22 Iris Avenue
San Francisco, California 94118

**RE: National Register of Historic Places Nomination for Fireman's Fund Insurance
Company Home Office**

Dear Mr. Rothman and Ms. Devincenzi:

I am pleased to inform you that the State Historical Resources Commission (SHRC), at its next meeting, intends to consider and take action on the nomination of the above named property to the National Register of Historic Places (National Register). Details regarding the meeting are enclosed. The National Register is the United States' official list of historical properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving California's heritage. Listing in the National Register assures review of federal projects that might adversely affect the character of the historic property. In addition, as of January 1, 1993, all National Register properties are now automatically included in the California Register of Historical Resources (California Register) and afforded consideration during the State (CEQA) environmental review process. This includes properties formally determined eligible for the National Register. Listing in the National Register does not mean that the federal or state government will attach restrictive covenants to the property or try to acquire it. Public visitation rights are not required of owners. National Register listed properties may qualify for state and federal benefits. Additional information may be found at our website at www.ohp.parks.ca.gov.

You are invited to attend the SHRC's meeting at which the nomination will be considered and acted upon by the SHRC. Written comments regarding the nomination may be submitted to California State Parks, Attn: Office of Historic Preservation, Julianné Polanco, State Historic Preservation Officer, 1725 23rd Street, Suite 100, Sacramento, California 95816. So that the SHRC may have adequate time to consider the comments, it is requested, but not required, that written comments be received by the Office of Historic Preservation fifteen (15) days in advance of the SHRC's meeting. Should you have any questions about this nomination, please contact the Registration Unit at (916) 445-7008.

Sincerely,

Julianne Polanco
State Historic Preservation Officer

ATTACHMENT 5



SAN FRANCISCO PLANNING DEPARTMENT

Modern Design Historic Context Statement Case Report

HEARING DATE: FEBRUARY 2, 2011

Date: January 26, 2011
Case No.: 2011.0059U
Staff Contact: Mary Brown – (415) 575-9074
Reviewed By: Tim Frye – (415) 575-6822
Recommendation: Adoption

1650 Mission St
Suite 400
San Francisco
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information
415.558.6377

PROJECT DESCRIPTION

Development of the *San Francisco Modern Architecture and Landscape Design 1935-1970 Historic Context Statement* (Modern context statement) was funded, in part, by a \$25,000 grant from the California Office of Historic Preservation (OHP). The San Francisco Planning Department (Department) provided the 40% match as required by the OHP. The grant period ran from October 1, 2009 to September 30, 2010. A draft of the Modern context statement, submitted to the OHP on September, 30 2010, was approved.

The Department developed the Modern context statement in order to provide the framework for consistent, informed evaluations of San Francisco's Modern buildings and landscapes. The Modern context statement links specific property types to identified themes, geographic patterns, and time periods. It identifies character-defining features of Modern architectural and landscape design and documents significance, criteria considerations and integrity thresholds. This detailed information specific to property types will provide future surveyors with a consistent framework within which to contextually identify, interpret and evaluate individual properties and historic districts.

The Modern context statement is intended to be used, along with past surveys such as the 1976 Department of City Planning Architectural Survey, to inform historic and cultural resource surveys and to ensure that property evaluations are consistent with local, state, and federal standards.

REQUIRED HISTORIC PRESERVATION COMMISSION ACTION

The Planning Department requests the Historic Preservation Commission to adopt, modify or disapprove the *San Francisco Modern Architecture and Landscape Design 1935-1970 Historic Context Statement*.

ENVIRONMENTAL REVIEW

Historic context statements are exempt under Class 6 of the California Environmental Quality Act (CEQA). Section 15306, *Information Collection* of the CEQA Guidelines states the following: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environment resource. These may be strictly

APPENDIX B: Additional Modern Architects

This table includes designers of known Modern buildings constructed in San Francisco from 1935-1970. These architects were uncovered while researching the San Francisco Modern Architecture and Landscape Design, 1935-1970, Historic Context Statement. Names and works were uncovered during field visits and review of historic resource evaluations, context statements, building permit applications, and San Francisco architectural guidebooks. Architects listed below are not included in the architect biographies found in Chapter 9 of the Modern context statement. With a few exceptions, little is known about many of these architects and future research is required to document their significance and works in San Francisco.

Architect	Building Name/Address	Building Type	Year Built	Notes
Amandes, F.F	Masonic Lodge, 2668 Mission Street	Cultural		Remodeled as Moderne
Anderson, Roger	52 Turquoise Way	Single-family residence	1962	Diamond Heights custom-designed.
Bakewell, John, Jr.; Day, William P.; and Kelham, George W.	Marina Junior High, 3500 Fillmore Street	School	c.1935	PWA Project.
Belluschi, Pietro	Cathedral of St. Mary of the Assumption, 1111 Gough Street	Church	1965-1971	Expressionist style. Designed in collaboration with Robert Brannen, McSweeney, Ryan & Lee, and the structural consultant Pier Luigi Nervi.
Beuttler, John F.	unknown			Worked with Charles Fenton Stauffacher.
Bliss and Fairweather; Hobart, Lewis P.	Glen Park Elementary School, 151 Lippard Avenue	School		Public Works Administration project.
Bloch, Bernard J.	180 San Marcos Avenue	Single-family residence	1965	Belvedere-based architect.
Brown, Arthur Jr.	Holly Courts, block of Appleton Avenue, Highland Avenue, Patton Street, Holly Park Circle	Public housing	1940	
Buckley, J.D	3406 Market Street	Two-unit residence	1968	Third Bay Tradition.
Chen, Clement and Associates	Glenridge, south side of Gold Mine Hill	Multi-family housing	1969	275-unit cooperative housing project.
Coblentz, Dorothy Wormser	Smith House, 195 Santa Ana Avenue	Single-family residence	1948	Credited to firm of H.H. Gutterson.
Cohen, Clyde B. and Levenson, James K.	Red Rock Hill, Diamond Heights	Townhouses	1962	Redevelopment area
Confer, F.W.	3560 Jackson Street.	Single-family residence	1939	

Architect	Building Name/Address	Building Type	Year Built	Notes
				Architecture of the SF Bay Region."
Lackey, Lawrence	Diamond Heights landscape			Designed the community landscape between Red Rock and Gold Mine Hills.
MacDonald, Earl R.	2721-2725 Mission Street	Commercial	1947	Midcentury Modern storefront remodel.
Major, Harold K.	344 Carl Street	Multi-family residence	1962	
Malone & Hooper	49 Twin Peaks Boulevard	Single-family residence	1950	
Marchand, Henry L. (engineer)	Hunter's Point public housing	Public housing		Engineer for several Modern projects. Angus McSweeney listed as architect for Hunter's View.
Mayhew, Clarence	Town School, 2750 Jackson Street	School	1956	Master Architect
Meyer, Frederick	Coffin-Reddington Bldg., 301 Folsom Street	Office	1936-1937; 1945-1946.	
Mohr, N.W.	234 Ottawa Avenue	Tract housing	1940	Designed Streamline Moderne tract development in Cayuga Terrace.
Mooser, William A. III (city architect) & Mooser, William Jr.	Aquatic Park	Recreational	1939	Streamline Moderne style. Works Progress Administration project. Master architects
Morris & Lohrbach	Diamond Heights Shopping Center	Commercial	1965	
Mosias, Leonard S.	1295 Shafter Street	Institutional	1956	Firehouse.
	1443 Grove Street	Institutional	1958	Firehouse.
	3880 26 th Street	Institutional	1958	Firehouse.
	Tennis Clubhouse, Golden Gate Park	Recreational	1958	
Nakamura, Van Bourg	Japan Center	Commercial/cultural	1965-1968	Collaboration with Minoru Yamasaki
	Japanese-American Religious Federation Building	Cultural	1971	Collaboration with Royston, Hanamoto, Mayes & Beck
Nordin, Robert	4731-33 Mission Street	Commercial	1949	Midcentury Modern storefront.
O'Brien, Smith; Rist, Martin Jr.; Schroepfer, Albert; and Strothoff, Charles F.	Buena Vista Elementary School, 2641 25 th Avenue	School		
Page, Edward; and Eckbo, Royston & Williams	Fireman's Fund Indemnity Company, 3333 California	Commercial	1958	Presidio Heights.

Architect	Building Name/Address	Building Type	Year Built	Notes
(landscaping)	Street			
Pereira, William & Associates	Transamerica Building, 600 Montgomery Street,	Commercial	1969	Master Architect
Perry, Warren Charles	unknown			Solo practice, 1911-1951
Peugh, W.D.	Sears shopping center on Geary Boulevard	Commercial	1951	
	Patrick Henry School, 693 Vermont Street (remodel)	School	1934	PWA project Dailey
	West Portal Branch of the San Francisco Bank	Commercial	1935	
	Abraham Lincoln High School	School		With Timothy Frederick Meyer & Milton Rist
Pflueger, Milton	University of San Francisco's Kendricks Hall	School	1962	Law school, in collaboration with slender piers associated with New Formalist design
	Alemany public housing, 845-999 Ellsworth Street	Public housing	1955	
	Teaching Hospital at UCSF	Institutional		
	Buildings at San Francisco Junior College (Now City College)	Educational		Several buildings.
Pollack and Pope	Potrero Branch Library, 1616 20th Street	Institutional		Library
	Golf Clubhouse, Golden Gate Park	Recreational	1951	
Reid Brothers	Spreckels Building, 703 Market Street.	Office	1938 remodel	Collaboration with Albert Roller.
Reid, John Lyon & Partners	Fredric Burk School, Arballo Drive & Front Boulevard	School	1956	Parkmerced.
Reidy, Dodge A.	Sunset Health Center	Medical		City Architect
Reimers, Frederick H.	Balboa Park Pool	Recreational	1958	Balboa Park.
Reimers & Overmire	2300 Folsom Street	Institutional	1954	Firehouse.
Richards, Albert	2000 Kirkham Street	Single-family residence	1950	
Riddell, Jerry	299 Vermont Street	Institutional	1955	Firehouse.
Rist, Martin J.	Coffin-Reddington Building, 301 Folsom Street	Office	1936-37	Public Works Administration project by Meyer, Peugh, Rist, and Pflueger
Sazevich & Walsh	225 San Marcos Avenue	Residence	1962	Second Bay Tradition design.
Seyranian, Albert	101 Mountain Spring Avenue	Residence	1960	Architect-Builder. Second Bay Tradition design.

ATTACHMENT 6



Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

May 31, 2017

The Honorable Mark Farrell
Supervisor, District 2
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: 3333 California Street, San Francisco, CA (UCSF Site)

Dear Supervisor Farrell:

Enclosed is a petition signed by 756 residents opposing the proposed rezoning of the 3333 California Street site.

As explained, 558 new residential units occupying 818,247 square feet would generate abundant return on the developers' investment (\$88 million for 99 years).

The site has already been up-zoned twice, and the City agreed to restrictions to allow the oversized building to be constructed. The developers' current concept would retain the bulk of that building, divide it into two sections and convert it to residential use. In addition, 6 very large new structures and 7 duplexes would be added to the site.

It is still our hope that you will work with us to facilitate revisions that will make the project an asset, rather than a detriment, to the area.

Laurel Heights Improvement Association of SF, Inc.

By: Kathryn Devincenzi, Vice-President

Enclosures

PETITION

To: The Honorable Mark Farrell, Supervisor District 2

We are deeply concerned that the immense scale of the proposed 1,373,600 square foot development at the 10.2 acre UCSF 3333 California street site would have substantial adverse impacts on the surrounding residential neighborhoods.

We respectfully urge you not to sponsor or support zoning changes for the 3333 California Street site because:

- The developers' proposal to add to the site 54,967 square feet of retail sales would generate approximately 13,030 new vehicle trips per day, a parking spill-over of approximately 600 vehicles and substantial traffic-related noise.
- 558 new residential units occupying 818,247 square feet would generate abundant return on the developers' investment (\$88 million for 99 years).
- The site has already been up-zoned twice and the City agreed to restrictions to allow the oversized building (352,800 square feet plus 97,500 square feet of underground parking) to be constructed.

NAME

RS Eger

ADDRESS

1200 Calif. St

207 Third Ave

3864 California St

1011-4th Ave, #1

2108 Washington St

2515 Pacific Ave SE

Walter Hillman
Carol Hillman
BETH Johnson
Bob Duffly

ATTACHMENT 7

Nomination for Listing on National Register of Historic Places

6 messages

Kathy Devincenzi <krdevincenzi@gmail.com>

Thu, Feb 8, 2018 at 4:31 PM

To: president@ucop.edu, Esther.Morales@ucsf.edu

Cc: Dan Safier <dsafier@pradogroup.com>

To: The Regents of the University of California
c/o President Janet Napolitano and
Esther Morales, Assistant Vice Chancellor, UCSF Real Estate Assets and Development

As I stated in my telephone message to Ms. Morales today, the Laurel Heights Improvement Association of San Francisco, Inc. will be nominating the Fireman's Fund Insurance Company Home Office at 3333 California Street, San Francisco for listing on the National Register of Historic Places.

The California Office of Historic Preservation has asked me to ask UC to advise me or their office as to the person who will be the official contact person for the Regents of the University of California for this matter. As you know, the Regents own the fee simple title to the property, and Laurel Heights Partners LLC is the holder of a ground lease on the property.

Also, we would like to request a tour of the property for myself and our architect. Since the building is public property, it should be made available for a tour. Please contact us for an appointment.

Very truly yours,

Laurel Heights Improvement Association of San Francisco, Inc.

By: Kathryn Devincenzi, Vice-President
(415) 221-4700

cc: Laurel Heights Partners LLC
c/o Dan Safier, Manager

ATTACHMENT 8

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinominal
NRHP Status Code

Other Listings
Review Code

Reviewer

Date

Page 1 of 4

*Resource Name or #: Laurel Heights Building

P1. Other Identifier:

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: San Francisco

and (P2b and P2c or P2d Attach a Location Map as necessary)

*b. USGS 7.5' Quad: San Francisco North

Date: 1995 T ; R ; ¼ of ¼ of Sec ; M.D B.M.

c. Address: 3333 California Street

City: San Francisco

Zip: 94118

d. UTM: Zone 10 ; mE/ mN (G.P.S.)

e. Other Locational Data: Laurel Heights Campus

Elevation

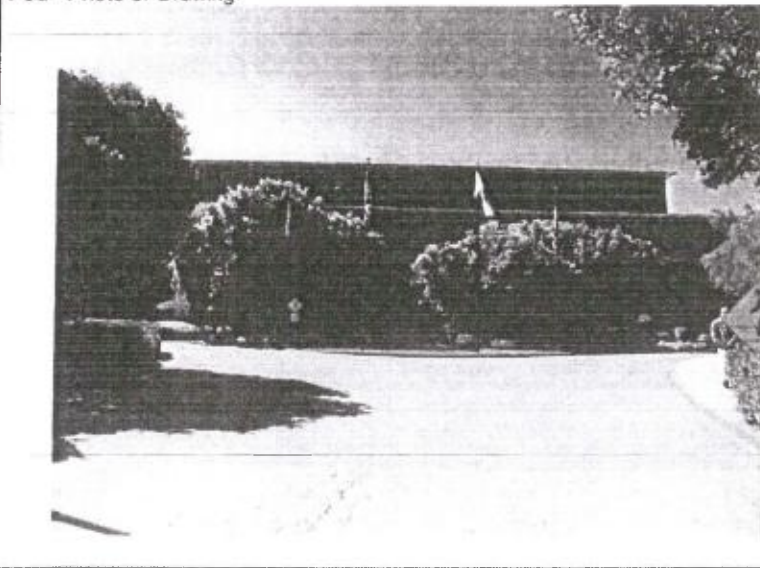
***P3a. Description:**

Built in 1957, this four-story building has an irregular plan and occupies the approximate center of an irregular-shaped city block. The intervening spaces are filled with extensive landscaping or parking lots. The concrete slab floors extend beyond the wall surface to form projecting cornices at each floor, and between these projections, an aluminum-sash window wall with dark, slightly mirrored glass forms the exterior walls. Brick veneer covers the walls in certain locations, and the roof is flat. The main entry opens on the north side of the building and features a covered entry with the roof supported on large square brick piers, a small ground-level fountain, and sliding aluminum doors.

*P3b. Resource Attributes: HP15. Educational building; HP6. 1-3 story commercial building

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a Photo or Drawing



P5b. Description of Photo:
View looking south; May 5, 2010.

*P6. Date Constructed/Age and Sources:

☒ Historic

☐ Prehistoric ☐ Both

Constructed in 1953. Courtesy of UCSF records.

*P7. Owner and Address:

University of California, San Francisco
San Francisco, CA 94143

*P8. Recorded by:

Carey & Co., Inc.
460 Bush Street
San Francisco, CA 94108

*P9. Date Recorded:

July 31, 2010

*P10. Survey Type: Intensive

*P11. Report Citation: Carey & Co. "UCSF Historic Resources Survey, San Francisco, California." December 3, 2010

*Attachments: ☐ NONE ☐ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other (List)

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 4

*NRHP Status Code 35

*Resource Name or # Laurel Heights Building

B1 Historic Name: Firemen's Insurance Company Building

B2 Common Name

B3 Original Use: Offices

B4 Present Use: Offices/Laboratories

*B5. Architectural Style: International Style

*B6. Construction History: Constructed in 1957.

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date:

Original Location:

*B8. Related Features: none

B9a Architect: Edward B. Page

b Builder: Unknown

*B10. Significance: Theme: University expansion

Area: UCSF Laurel Heights campus, San Francisco

Period of Significance: 1953

Property Type: Educational

Applicable Criteria: A/1, C/3

The Laurel Heights Building was constructed on the site of a former cemetery. Lone Mountain Cemetery was dedicated on May 30, 1854 (later renamed Laurel Hill Cemetery). One of the few places in the city where one could find landscaped open space, Lone Mountain Cemetery served as much as a public park and leisure space as it did a cemetery. Population pressures and land scarcity, however, compelled the San Francisco government in 1880 to pass an ordinance banning cemeteries within the city's boundaries, and in 1901 the City prohibited any further burials within the city limits. With no revenue from new interments to fund the maintenance of the cemeteries, they fell to ruin. By the 1930s, mausoleums with broken windows and burial plots with toppled tombstones and overgrown with weeds characterized the once celebrated cemetery. The bodies of 35,000 people interred at Laurel Hill Cemetery were removed in 1939 and 1940. World War II then stalled plans to build houses, commercial establishments, and Lowell High School at the site, but in 1946 the earth was cleared and graded for development.

B11 Additional Resource Attributes

*B12. References:

See continuation sheet

B13 Remarks

*B14. Evaluator: Carey & Co., Inc.

*Date of Evaluation: July 31, 2010



CONTINUATION SHEET

Primary #
HRI#

Trinomial

Page 3 of 4

*Resource Name or # Laurel Heights Building

*Recorded by: Carey & Co., Inc.

*Date: July 31, 2010

☒ Continuation ☐ Update

Continuation of B10. Significance:

In 1953 the Firemen's Fund Insurance Company bought a ten-acre site at the pinnacle of the former cemetery and constructed a 354,000 square-foot, sprawling four-story International Style building and its 13,000 square-foot annex. Edward B. Page was the architect. Later, the Presidio Corporate Center occupied the site.

Edward Bradford Page (1905-1994) was born in Alameda, California, and received an international education in architecture. He earned a Bachelor of Science degree from Yale University and Sheffield Scientific School, in England, in 1928, then pursued graduate studies at the Fontainebleau School in France and Yale University School of Fine Arts. After earning his second Bachelors degree from Yale, Page traveled in France, Germany, Italy, Austria, Mexico, and Canada, and upon returning to the San Francisco Bay Area, Page worked for a number of prominent firms. They included a year in the offices of John Bakewell and Ernest Weihe (1938-1939), followed by six years with Wilbur D. Peugh, during which time Page was most likely involved in defense work, a hospital and Navy personnel center at Camp Shoemaker and war housing in Livermore. In 1947 Page established his own firm. Early commissions consisted of schools and housing. The Fireman's Fund Insurance Co. Office marked one of Page's earliest large, independent commissions. Subsequent prominent commissions include the branch office of the Fireman's Fund American Insurance Company in Fresno, as well as the airport garage at San Francisco International Airport and the Faculty Club at Stanford University. In 1968 Page formed the firm Page, Clowdsley, & Baleix, a firm that "basically did commercial architecture that was fairly routine - but it never leaked."

In 1985 the Regents of the University of California purchased the Presidio Corporate Center site to help alleviate space constraints at the Parnassus campus. Concerns over the potential dangers in a residential neighborhood of conducting "scientific research using toxic chemicals, carcinogens, and radioactive materials" prompted an EIR. Satisfied that UCSF implemented sufficient measures to mitigate the potential environmental impacts of scientific research at the Laurel Heights site, the Regents certified the EIR. In response, the Laurel Heights Neighborhood Improvement Association successfully sought to overturn the EIR. New EIRs and further litigation followed and was not settled until 1995. In the meantime, UCSF implemented an alternative plan for use of the space: academic and administrative offices, office-based instruction, and social and behavioral research that required no toxic chemicals or other environmentally hazardous materials.

The Laurel Heights building appears to be eligible for listing in the NRHP/CRHR under Criteria A/1 and C/3. It stands as the most prominent postwar commercial development in the Laurel Heights neighborhood and dramatically transformed the former cemetery site, rendering it eligible for the NRHP/CRHR under Criterion A/1. No persons of significance are known to be associated with the building, thus it does not appear to be eligible under Criterion B/2. While Edward B. Page was not the most prominent architect in San Francisco during the postwar period, his resume does accord him master architect status. More importantly, this main building at the Laurel Heights campus is an excellent example of mid-century Modernism and the International Style. Its horizontality makes it a particularly good regional example of the architectural style. For these reasons the building appears to be eligible for the NRHP/CRHR under Criterion C/3.

The Firemen's Fund Insurance Company Building at Laurel Heights retains excellent integrity. It has not been moved and it nor its surroundings have undergone many alterations. Thus the building retains its integrity in all seven categories - location, setting, design, materials, workmanship, feeling, and association.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary #
HRI#
Trinomial

Page 3 of 4

*Resource Name or # Laurel Heights Building

*Recorded by: Carey & Co., Inc

*Date: July 31, 2010

☒ Continuation ☐ Update

Continuation of B12. References:

AIA Directory (1952, 1962, 1970).

Carey & Co., "UCSF Historic Resources Survey, San Francisco, California," December 3, 2010.

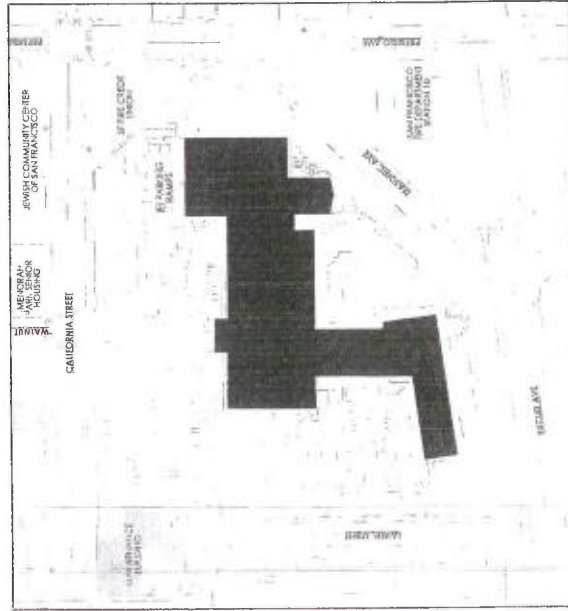
O'Connell, Kim A. "Seismic Forces." *Traditional Building*, <http://www.traditional-building.com/Previous-Issues-07/OctProfile07.htm> (accessed July 27, 2010).

Peugh, Wilbur D. "Architects' Roster Questionnaire."
http://communities.aia.org/sites/hdoaa/wiki/AIA%20scans/Rosters/PeughWD_roster.pdf (accessed July 27, 2010)

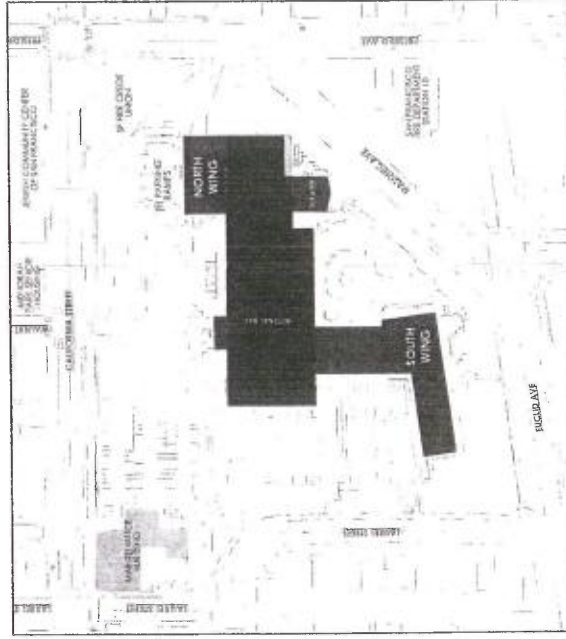
Stanford Historical Society. *Historic Houses IV: Early Residential Communities of the Lower San Juan District*, Stanford University.
Stanford: Stanford Historical Society, 2007.

ATTACHMENT 9

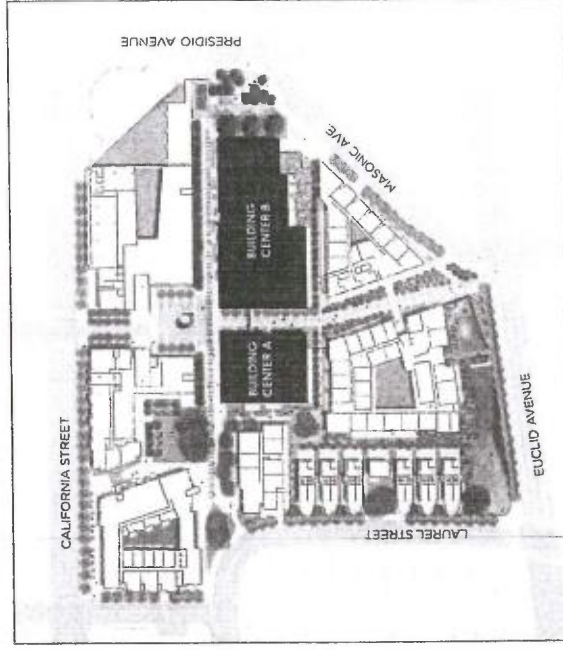
EXISTING BUILDING
362,000 GSF
(not including parking or annex)



PROPOSED REMOVAL
185,958 GSF REMOVED
(not including parking)



PROPOSED CENTER A & B
322,888 GSF
(not including parking)



CENTER A & B: EXISTING CONDITIONS + PROPOSED ADAPTATION

A6.00

08.17.2017
PLANNING APPLICATION SUBMITTAL

3333 CALIFORNIA STREET SAN FRANCISCO, CA

JENSEN **SCP**
ARUP BAR architects

JAMES
CORNER
OPERATIONS

1 Partial removal of existing structure, freeing up Mayfair Promenade axis.

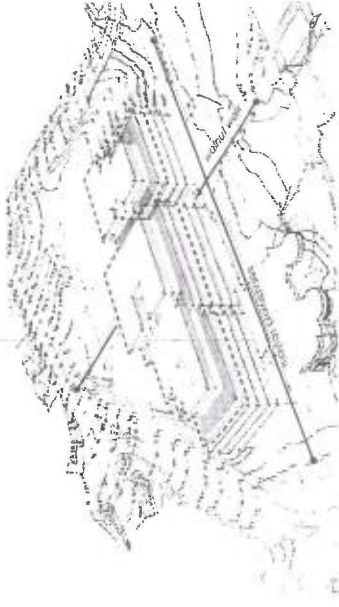


2 Rebuild and reinforce the existing 4th floor and cut opening for Walnut Walk axis.

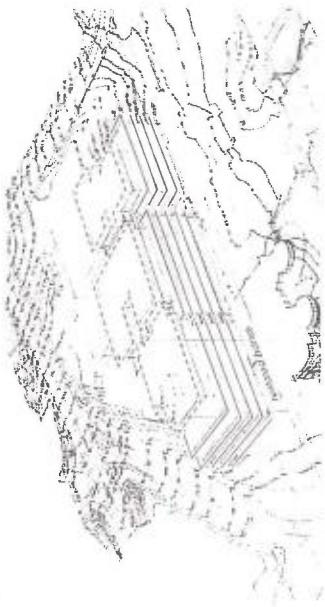


REMOVALS: THE SOUTH WING, NORTH WING AND THEATER ARE REMOVED TO REDUCE THE BUILDING BULK AND MASS. AN INTERNAL BAY IS OPENED UP TO CREATE WALNUT WALK.

3 Add one and two floors that are set back from the existing building edge.

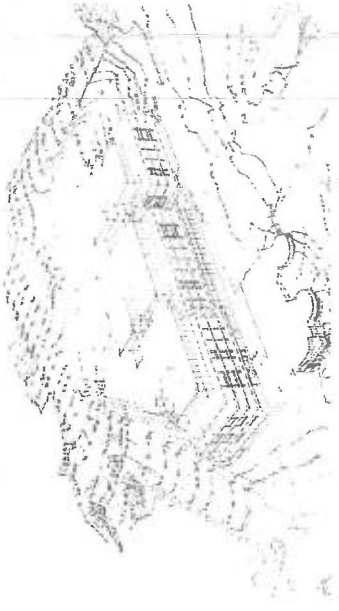


4 Restore the horizontal bands and add warm soffits to upper floor overhangs.

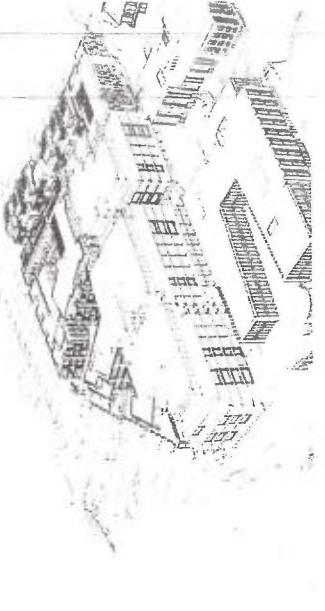


RESTORE AND REBUILD: THE EXISTING HORIZONTAL FLOOR LINES WILL BE RESTORED AND THE UPPER FLOORS WILL BE REBUILT WITH SETBACKS.

5 Articulate the exterior with high-performance glass, reveals at demising walls and bay windows at the bedrooms.



6 Completed design.



PROPOSED DESIGN: THE RESIDENTIAL QUALITY OF THE DESIGN IS ENHANCED WITH ARTICULATED BAY WINDOWS AT THE BEDROOMS. THIS MODULATES THE HORIZONTALITY OF THE OVERALL MID-CENTURY COMPOSITION AND RELATES TO THE NEW BUILDINGS AND THE EXISTING NEIGHBORHOOD.

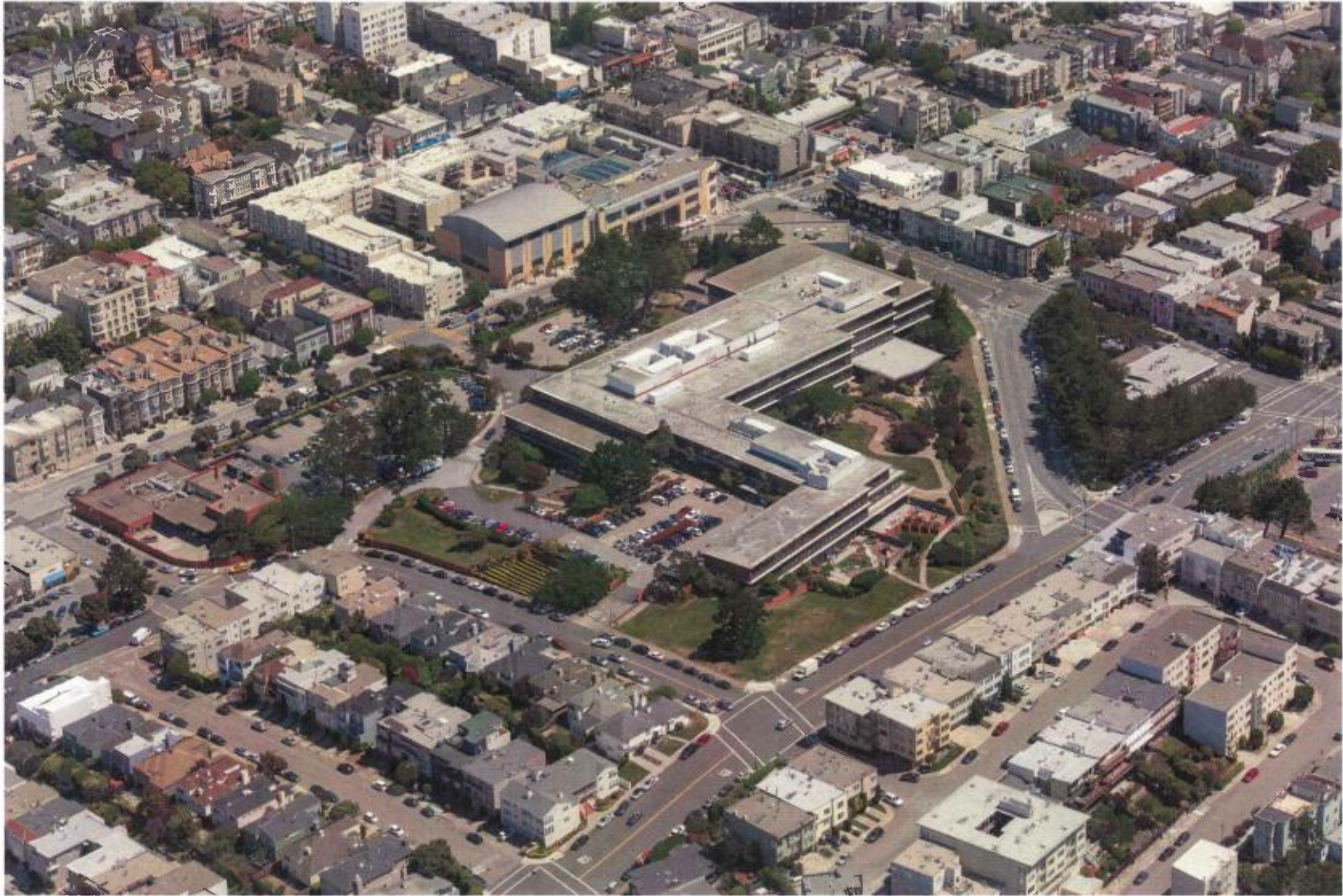
3333 CALIFORNIA STREET SAN FRANCISCO, CA



CENTER A & B: ADAPTIVE REUSE STRATEGY

08.17.2017
PLANNING APPLICATION SUBMITTAL

A6.01



3333 California Street – Aerial View



Service Building – Entrance



Service Building – Looking West



Service Building – Entrance from Parking Lot



Service Building - Laurel Street Facade Looking South



Service Building – California Street Facade

[Planning Code - Landmark Designation – 6301 Third Street (aka Arthur H. Coleman Medical Center)]

Ordinance amending the Planning Code to designate 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot 032, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough italics Times New Roman font*.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) CEQA and Land Use Findings.

(1) The Planning Department has determined that the proposed Planning Code amendment is subject to a Categorical Exemption from the California Environmental Quality Act (California Public Resources Code section 21000 et seq., "CEQA") pursuant to Section 15308 of the Guidelines for implementation of the statute for actions by regulatory agencies for protection of the environment (in this case, landmark designation). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference. The Board of Supervisors affirms this determination.

1 (2) Pursuant to Planning Code Section 302, the Board of Supervisors finds that
2 the proposed landmark designation of 6301 Third Street (aka Arthur H. Coleman Medical
3 Center), Assessor's Parcel No. 4968, Lot 032, will serve the public necessity, convenience,
4 and welfare for the reasons set forth in Historic Preservation Commission Resolution No.
5 _____, recommending approval of the proposed designation, which is incorporated
6 herein by reference.

7 (3) The Board of Supervisors finds that the proposed landmark designation of
8 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot
9 032, is consistent with the San Francisco General Plan and with Planning Code Section
10 101.1(b) for the reasons set forth in Historic Preservation Commission Resolution No.
11 _____, recommending approval of the proposed designation, which is incorporated
12 herein by reference.

13 (b) General Findings.

14 (1) Pursuant to Section 4.135 of the City Charter, the Historic Preservation
15 Commission has authority "to recommend approval, disapproval, or modification of landmark
16 designations and historic district designations under the Planning Code to the Board of
17 Supervisors."

18 (2) A community-sponsored Application for Article 10 Landmark Designation for
19 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot
20 032 was submitted to the Planning Department by Dr. Arelious Walker, Pastor of True Hope
21 Church of God.

22 (3) On January 17, 2018, the Historic Preservation Commission added 6301
23 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot 032, to
24 the Landmark Designation Work Program, which was adopted by the Historic Preservation
25

Commission on June 15, 2011 and is a list of individual properties and historic districts under consideration for landmark designation.

(4) The Designation report was prepared by Desiree Smith, Planning Department Preservation staff and reviewed by Tim Frye, Planning Department Preservation staff. All preparers meet the Secretary of the Interior's Professional Qualification Standards and Planning Department Preservation staff reviewed the report for accuracy and conformance with the purposes and standards of Article 10.

(5) The Historic Preservation Commission, at its regular meeting of April 18, 2018, reviewed Planning Department Preservation staff's analysis of 6301 Third Street's historical significance pursuant to Article 10 as part of the Landmark Designation Case Report dated April 18, 2018.

(6) On April 18, 2018, the Historic Preservation Commission passed Resolution No. _____, initiating designation of 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot 032, as a San Francisco Landmark pursuant to Section 1004.1 of the Planning Code. Said resolution is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

(7) On _____, after holding a public hearing on the proposed designation and having considered the specialized analyses prepared by Planning Department Preservation staff and the Landmark Designation Case Report, the Historic Preservation Commission recommended approval of the proposed landmark designation of 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot 032, in Resolution No. _____. Said resolution is on file with the Clerk of the Board of Supervisors in File No. _____.

(8) The Board of Supervisors hereby finds that 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot 032, has a special character and

1 special historical, architectural, and aesthetic interest and value, and that its designation as a
2 Landmark will further the purposes of and conform to the standards set forth in Article 10 of
3 the Planning Code.

4
5 Section 2. Designation.

6 Pursuant to Section 1004 of the Planning Code, 6301 Third Street (aka Arthur H.
7 Coleman Medical Center), in Assessor's Parcel No. 4968 Lot 032, is hereby designated as a
8 San Francisco Landmark under Article 10 of the Planning Code. Appendix A of Planning
9 Code, Article 10 is hereby amended to include this property.

10
11 Section 3. Required Data.

12 (a) The description, location, and boundary of the Landmark site consists of the City
13 parcel located at 6301 Third Street (aka Arthur H. Coleman Medical Center), Assessor's
14 Parcel No. 4968 Lot 032, in San Francisco's Bayview neighborhood.

15 (b) The characteristics of the Landmark that justify its designation are described and
16 shown in the Landmark Designation Case Report and other supporting materials contained in
17 Planning Department Docket No. 2017-012290DES. In brief, 6301 Third Street (aka Arthur H.
18 Coleman Medical Center), in Assessor's Parcel No. 4968, Lot 032, is eligible for local
19 designation under National Register of Historic Places Criterion B, as it is associated with the
20 lives of significant persons in our past. Specifically, designation of 6301 Third Street (aka
21 Arthur H. Coleman Medical Center), Assessor's Parcel No. 4968, Lot 032, is proper given that
22 it is associated with Dr. Arthur H. Coleman, a nationally prominent African American
23 physician-lawyer and influential healthcare and civil rights activist. Dr. Coleman purchased the
24 property at 6301 Third Street to construct a purpose-built medical facility to serve Bayview
25 residents. Opening in 1960, the Arthur H. Coleman Medical Center reflected the popular

1 architectural styles of the period, and served as a modern symbol of community health,
2 progress, and success. He recruited a team of African American physicians to join him in his
3 vision of providing comprehensive health services to the area's low-income African American
4 residents. Dr. Coleman was celebrated as a local pioneer in the nationally significant
5 community health center movement of the 1960s, worked tirelessly to bring about racial equity
6 within healthcare and the medical profession, and advocated for the needs of the Bayview's
7 African American community.

8 (c) The particular features that shall be preserved, or replaced in-kind as determined
9 necessary, are those generally shown in photographs and described in the Landmark
10 Designation Case Report, which can be found in Planning Department Docket No. 2017-
11 012290DES, and which are incorporated in this designation by reference as though fully set
12 forth herein. The character-defining interior features of the building are those associated with
13 areas that have historically been accessible to the public and are depicted in the floor plans or
14 photos in the Landmark Designation Report dated _____. Specifically, the following
15 features shall be preserved or replaced in kind:

16 All exterior elevations, form, massing, structure, roofline, architectural ornament, and
17 materials identified as:

- 18 (1) Location and site built to property line along Third Street;
- 19 (2) Two story height;
- 20 (3) Flat roof;
- 21 (4) Boxed eaves;
- 22 (5) Stucco cladding;
- 23 (6) Porcelain enameled steel panels with abstract boomerang motifs on Third
24 Street and Ingerson Avenue elevations;
- 25

- 1 (7) Historic recessed pharmacy entrance at north corner with fully glazed
2 aluminum frame door, flanked by large aluminum frame windows and
3 transom;
- 4 (8) Historic main entry along Third Street elevation including:
5 (A) Angled and recessed main entry with porcelain enameled steel return
6 at the south and stucco and glazing at the north return;
7 (B) Fully glazed aluminum frame double doors;
8 (C) Two aluminum frame windows flanking the double doors;
9 (D) Large glazed double-height transom above entry;
10 (E) Historic aluminum stylized address numbers at transom;
11 (F) Historic suspended abstract light fixture at entry;
12 (G) Applied ornamental medical emblem on north return; and
13 (H) Stucco clad planter abutting north return.
- 14 (9) Fenestration of ganged and single aluminum casement and awning
15 windows and aluminum storefront system at ground level; and
- 16 (10) Letter signage reading, "The Arthur H. Coleman Medical Center" on the
17 Ingerson Avenue elevation, located between the first and second floors.


18 All publicly accessible interior features identified as:

- 19 (1) Double-height entry lobby with open stair and porcelain enameled steel
20 panels along south return.

21
22 Section 4. Effective Date. This ordinance shall become effective 30 days after
23 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
24 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
25 of Supervisors overrides the Mayor's veto of the ordinance.

1
2 APPROVED AS TO FORM:
3 DENNIS J. HERRERA, City Attorney

4 By:

5 
6 ANDREA RUIZ-ESQUIDE
7 Deputy City Attorney

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