



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: March 11, 2015

TO: Historic Preservation Commission

FROM: Tim Frye, Preservation Coordinator, (415) 575-6822
Lisa Gibson, Senior Planner, Environmental Planning (415) 575-9032

RE: **Revised Draft Policy Statement Regarding the Development and Evaluation of Preservation Alternatives in Environmental Impact Reports (EIR) for the Purposes of the California Environmental Quality Act (CEQA).**

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BACKGROUND

At its February 18, 2015 hearing the Historic Preservation Commission (HPC) provided its review of a draft Resolution outlining recommendations for the development and evaluation of preservation alternatives within EIRs for the purposes of CEQA. The resolution is intended to provide upfront clarification to the Department and project sponsors on a number of reoccurring issues the HPC has identified during its review and comment of past draft EIRs.

At that hearing the HPC requested the following revisions:

- Consider comments provided by Golden Gate Park Preservation Alliance to address cultural landscapes.
- Consider comments provided by San Francisco Architectural Heritage to clarify requirements of CEQA alternatives and project objectives; and clarify when façade retention should be considered a desirable design approach.
- Consider comments by members of the HPC regarding the necessity of a façade retention section, the level of information provided to illustrate preservation alternatives, and various minor points of clarification.

The revised content in the draft Resolution addresses all of the above comments. Specifically, the Department has removed the façade retention section and included an abbreviated reference to façade retention under the Partial Preservation Alternatives section. A copy of the original Resolution is also included for reference.



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No.

HEARING DATE: MARCH 18, 2015, CONTINUED FROM FEBRUARY 18, 2015

ADOPTION OF A POLICY STATEMENT TO CLARIFY HISTORIC PRESERVATION COMMISSION EXPECTATIONS FOR THE DEVELOPMENT AND EVALUATION OF PRESERVATION ALTERNATIVES IN ENVIRONMENTAL IMPACT REPORTS FOR THE PURPOSES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the loss of historical resources through demolition or adverse impacts from alteration should be avoided whenever possible and historic preservation should be used as a key strategy in achieving the City's environmental sustainability goals through the restoration, rehabilitation, and adaptive reuse of historic buildings; and

WHEREAS, an environmental impact report (EIR) is required under the California Environmental Quality Act (CEQA) when proposed projects would cause a significant impact to historical resources that cannot feasibly be mitigated to a less-than-significant level; and

WHEREAS, an EIR is integral to providing the public and decision-makers with an in-depth review of a project's environmental impacts, feasible mitigation measures, and alternatives that would reduce or eliminate those impacts; and

WHEREAS, the requirement of CEQA to consider alternatives to projects that would entail significant impacts to historical resources, either through demolition or other alterations, is an opportunity for analysis and consideration of the potential feasibility of accomplishing a project while reducing significant environmental impacts to historic resources; and

WHEREAS, the EIR process is an opportunity for members of the public to participate in the development and consideration of alternatives to demolition and project proposals that would result in significant impacts to historical resources; and

WHEREAS, CEQA requires that an EIR describe a range of reasonable alternatives to the project that would feasibly attain most of the basic objectives of the project; would avoid or substantially lessen any of the significant effects of the project; and evaluate the comparative merits of the alternatives; and

WHEREAS, when an EIR studies a potentially feasible alternative to demolition of an historical resource, the lead agency and the public have the opportunity to discuss and consider changes or alternatives to the project that would reduce or eliminate its impact to historical resources; and

WHEREAS, the Historic Preservation Commission (HPC) supports the Planning Department's efforts to provide a robust consideration of preservation alternatives in EIRs to satisfy the requirements of CEQA; and

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WHEREAS, the Planning Department, acting as the CEQA lead agency for projects in the City and County of San Francisco, distributes draft EIRs for public review generally for a period of 45 days; and

WHEREAS, the Planning Commission conducts public hearings on draft EIRs during the public review period to solicit public comment on the adequacy and accuracy of information presented in the draft EIRs; and

WHEREAS, the HPC has the authority to review and provide comments to the Planning Department on draft EIRs for projects that may result in a significant impact on historical resources; and

WHEREAS, the HPC conducts public hearings on such draft EIRs during the public review period for the purpose of formulating the HPC's written comments, if any, to be submitted to the Planning Department for response in Responses to Comments documents;

WHEREAS, the Planning Department prepares Responses to Comments documents in order to respond in writing to comments on environmental issues provided orally and in writing during the draft EIR public review period; and

Now therefore be it RESOLVED that the Commission hereby ADOPTS the following policy to clarify its expectations for the evaluation of significant impacts to historical resources under CEQA in EIRs under its purview as identified in Section 4.135 of the City Charter:

1. **Preservation Alternatives.** If a proposed project would result in a significant impact on historical resources due to demolition or alteration of an historic resource, the EIR should consider an alternative to the proposed project. Alternatives considered under CEQA do not need to meet all project objectives; however, should fully preserve the features of the resource that convey its historic significance while still meeting most of the basic objectives of the project.

The analysis of historical resources impacts in the EIR should clearly distinguish between impacts to individually significant resources (which should be reviewed for their impact to the resource itself) and impacts to contributory resources within a historic district (which should be reviewed for their impacts to the historic district as a whole).

2. **Partial Preservation Alternatives.** The HPC recognizes that preservation options for some project sites and programs may be limited. For this reason, it may be appropriate for the EIR to include analysis of a Partial Preservation Alternative that would preserve as many features of the resource that convey its historic significance as possible while taking into account the potential feasibility of the proposed alternative and the project objectives.

In cases where the resource evaluated in the EIR is a structure, at least one of the Partial Preservation Alternatives in the EIR should include retention of the historic façade(s) facing the public right-of-way and incorporate setbacks to allow for an understanding of the overall height and massing of the resource. In many cases, façade retention alone may not allow for the resource to convey its significance. In these cases, façade retention on its own would not be an appropriate Partial Preservation Alternative.

3. **Labeling of Alternatives.** An alternative should be labeled a “Preservation Alternative” only if it would avoid a significant impact to the historical resource. An alternative that would result in a reduced, but still significant, impact to the historical resource is more appropriately labeled a “Partial Preservation Alternative.”
4. **Graphic Materials and Analysis Included in the EIR.** The detailed description of all preservation alternatives should include graphic representations sufficient to illustrate adequately the features of the alternative(s), especially design elements that would avoid or lessen the significant impact to the historical resource. The graphic representations may include legible plans, elevations, sections determined sufficient to adequately depict the scope of the alternatives, and renderings.
5. **Written Analysis Included in the EIR.** The EIR should include a detailed explanation of how the preservation alternative(s) were formulated, as well as other preservation alternatives that were considered but rejected.
6. **Distribution of Documents to the HPC.** The HPC requests that the Planning Department distribute draft EIRs for projects that would result in a significant impact to historical resources to the HPC at the start of the public review period. In addition, the HPC requests that the Planning Department distribute background studies pertaining to the EIR’s evaluation of historical resources, such as historic resources evaluations, historic resource evaluation responses, and preservation alternatives memoranda, to the HPC at the same time as the draft EIR distribution.
7. **Presentation before the HPC.** During the HPC’s hearing to formulate written comments, if any, on the draft EIR, the HPC requests a presentation highlighting information contained within the draft EIR regarding the analysis of historical resources. Planning Department staff should lead the presentation and ensure that it outlines the following information:
 - a. The eligibility and integrity of those resources identified and under study within the EIR;
 - b. A summary of the potential impacts to the historical resources identified in the EIR; and,
 - c. An explanation of the formulation of the preservation alternative(s) and the potential feasibility of the proposed alternative(s) relative to the project objectives.

Should the HPC identify the need for substantial clarification, elaboration, or correction of information contained within the draft EIR, the HPC will provide comments in writing to the Planning Department for response in the Responses to Comments document; the Planning Department generally will not respond at the HPC hearing.

The HPC will remind the public of the Planning Commission hearing dates and public review periods for draft EIRs brought before the HPC and will clarify public comments

at HPC hearings will not be considered as official comments on draft EIRs, nor will they be responded to in Responses to Comments documents.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on March 18, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No.

HEARING DATE: FEBRUARY 18, 2015

ADOPTION OF A POLICY STATEMENT TO CLARIFY HISTORIC PRESERVATION COMMISSION EXPECTATIONS FOR THE DEVELOPMENT AND EVALUATION OF PRESERVATION ALTERNATIVES IN ENVIRONMENTAL IMPACT REPORTS FOR THE PURPOSES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the loss of historical resources through demolition or adverse impacts from alteration should be avoided whenever possible and historic preservation should be used as a key strategy in achieving the City's environmental sustainability goals through the restoration, rehabilitation, and adaptive reuse of historic buildings; and

WHEREAS, an environmental impact report (EIR) is required under the California Environmental Quality Act (CEQA) when proposed projects would cause a significant impact to historical resources and is integral to providing the public and decision-makers with an in-depth review of a project's environmental impacts and feasible mitigation measures and alternatives that would reduce or eliminate those impacts; and

WHEREAS, the requirement of CEQA to consider alternatives to projects that would entail significant impacts to historical resources, either through demolition or other alterations, is an opportunity for fair analysis and consideration of the feasibility of accomplishing a desired project while reducing significant environmental impacts to historic resources; and

WHEREAS, the EIR process is the best opportunity for members of the public to participate in the development and consideration of alternatives to demolition and project proposals that would result in significant impacts to historical resources; and

WHEREAS, When an EIR studies a potentially feasible alternative to demolition of an historical resource, the lead agency and the public have the opportunity to discuss and consider changes or alternatives to the project that would reduce or eliminate its impact to historical resources; and

WHEREAS, the Historic Preservation Commission (HPC) has the authority to review and provide comments to the Planning Commission on draft EIRs for projects that would result in a significant impact to an historical resource; and

WHEREAS, the HPC supports the Planning Department's efforts to provide a robust consideration of preservation alternatives in EIRs;

now therefore be it RESOLVED that the Commission hereby ADOPTS the following policy to clarify its expectations for the evaluation of significant impacts to historical resources under CEQA in EIRs under its purview as identified in Section 4.135 of the City Charter:

1. **Preservation Alternatives.** If a proposed project would result in a significant impact on historical resources due to demolition or alteration of an historic structure, the EIR should consider an alternative to the proposed project that would fully preserve the

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features of the structure that convey its historic significance while still meeting most of the basic objectives of the project.

The analysis of historical resources impacts in the EIR should clearly distinguish between impacts to individually significant resources (which should be reviewed for their impact to the building itself) and impacts to contributory resources within a historic district (which should be reviewed for their impacts to the historic district as a whole).

2. **Partial Preservation Alternatives.** The HPC recognizes that preservation options for some project sites and programs may be limited. For this reason, it may be appropriate for the EIR to include analysis of a Partial Preservation Alternative that would preserve as much of the historic fabric of the building as possible while taking into account the feasibility of the proposed alternative and the project objectives.
3. **Labeling of Alternatives.** An alternative should be labeled a "Preservation Alternative" only if it would avoid a significant impact to the historic resource. An alternative that would result in a reduced, but still significant, impact to the historical resource is more appropriately labeled a "Partial Preservation Alternative."
4. **Graphic Materials and Analysis Included in the EIR.** The description of any preservation alternatives should include graphic representations sufficient to illustrate adequately the features of the alternative(s), especially design elements that would avoid or lessen the significant impact to the historic resource. The graphic representations may include floor plans, elevations, sections, and renderings.
5. **Written Analysis Included in the EIR.** The EIR should include an explanation of how the preservation alternative(s) were formulated, as well as other preservation alternatives that were considered but rejected.
6. **Façade Retention.** Façade retention generally constitutes a demolition of a historic resource for the purposes of CEQA and is in conflict with the Secretary of the Interior's Standards; however, in certain circumstances, façade retention may be an effective means to improve the overall design of a proposed project and its relationship to the surrounding context.

Façade retention alone generally would not be an appropriate preservation alternative. The retention of a historic façade is preferable to wholesale demolition when it can be demonstrated that it may improve the overall design of the project. In such limited cases, the EIR should consider mitigation measures or alternatives to the project that would retain the historic façade(s) facing the public right-of-way and incorporate setbacks to allow for an understanding of the overall height and massing. But because façade retention is generally disfavored and often will not, in itself, avoid a significant impact to historical resources under CEQA, it generally should be included in an EIR in addition to the selected preservation alternative or alternatives.

7. **Presentation before the HPC.** During the HPC's hearing to provide review and comment on the draft EIR, the Planning Department shall provide a presentation that outlines the following information:
- a. The eligibility and integrity of those resources identified and under study within the EIR;
 - b. A summary of the potential impacts to the historic resources identified in the EIR; and,
 - c. An explanation of the formulation of the preservation alternative(s) and the potential feasibility of the proposed alternative(s) relative to the project objectives.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 18, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: