

## **A PRIMER ON HISTORIC PRESERVATION IN SAN FRANCISCO**

There are three levels of designation for historic properties – local, state, and national. The City of San Francisco maintains a list of City Landmarks and Historic Districts in Articles 10 and 11 of the Planning Code, with demolition and major alterations subject to review by the Historic Preservation Commission. Sites can also be listed in or determined eligible for listing in the National Register of Historic Places and the California Register of Historical Resources. Although the HPC does not have jurisdiction over these properties, National Register and California Register-listing can provide access to financial and regulatory incentives (such as Federal Rehabilitation Tax Credits, Mills Act property tax relief, and/or State Historical Building Code) and will usually trigger review under the California Environmental Quality Act (CEQA) for demolition and major alterations.

### **Local Policy Framework**

**Article 10 – SF Landmarks and Historic Districts:** Enacted in 1967, Article 10 of the Planning Code established the City’s authority to identify, designate and protect landmarks from inappropriate alterations. Owners of City Landmark properties, or of contributors to City Historic Districts, may be eligible for significant (40% or more) property tax relief under the Mills Act and other incentives. Over the past 45 years, 262 individual landmark sites and 11 Historic Districts have been designated by the City.

**Article 11 – Downtown Plan:** Conservation Districts are located exclusively in the City’s downtown core. The regulations governing properties in these districts, and descriptions of each, are found in Article 11 of the Planning Code. Similar to traditional historic districts, Conservation Districts identify and protect buildings based on architectural quality and their contribution to neighborhood character. Article 11 mandates retention of 248 buildings, encourages protection of nearly 200 others, and establishes six Conservation Districts.

**Citywide Cultural Resource Survey Program:** In 1999, the Planning Department initiated an ongoing effort to document cultural resources throughout San Francisco. The survey program was developed in consultation with the California Office of Historic Preservation. All surveys are conducted according to the OHP’s *Instructions for Recording Historic Resources*, with resources evaluated using National Register criteria and findings subject to multiple layers of internal and external peer review.

**Proposition J:** Approved by 57% of voters in November 2008, Proposition J established a seven-member Historic Preservation Commission (HPC). Proposition J also required updates to Articles 10 and 11 based on nationally-recognized best practices. Over the last two years, the Planning Department has been working with the HPC, Planning Commission, and stakeholders in the preservation, development and other communities to amend Articles 10 and 11 to fully reflect the changes mandated by Proposition J. The revisions are expected to be considered for adoption by the Board of Supervisors later this year.

### **Historic Preservation Commission**

Established in 2009, the HPC is a seven-member body that replaced the nine-member Landmarks Preservation Advisory Board. Six members are required to have professional backgrounds in planning, architecture, historical conservation, and related fields. Its key functions include:

- The HPC makes recommendations directly to the Board of Supervisors, bypassing the Planning Commission, on the designation of City Landmarks and Historic Districts. The Board has final authority to approve or deny landmark designation, as demonstrated by its recent rejection of the North Beach Library nomination.
- The HPC makes recommendations to the Board of Supervisors on building permit applications that involve construction, alteration or demolition of City Landmarks and properties located in City Historic Districts.

- The HPC may also review and comment on projects affecting historic resources that are subject to environmental review under CEQA, or projects subject to review under Section 106 of the National Historic Preservation Act.
- The HPC approves Certificates of Appropriateness for City Landmarks and contributors to City Historic Districts. These rulings can be appealed to the Board of Appeals. ***The HPC does not review building permit applications for properties identified in historic resource surveys.***

**HPC has approved 99% of project applications:** Since the HPC was sworn-in in January 2009, it has approved 101 Certificates of Appropriateness and Permits to Alter, with another 34 cases currently pending. The HPC has denied only one project. A 2010 article in the *San Francisco Business Times* reported that the HPC takes a moderate stance, noting that “several projects have gone through the commission without much conflict.”<sup>1</sup>

## Locally-Designated Historic Properties

**Individual City Landmarks, City Historic Districts, and Downtown Conservation Districts:** There are currently 262 individual City Landmarks and 1,120 contributing properties in City Historic Districts. There are also 774 properties protected under Article 11 of the Planning Code, including six Downtown Conservation Districts. Of the 152,880 legal city lots in San Francisco, 2,115 properties<sup>2</sup> are designated as historic resources under Articles 10 and 11 of the Planning Code – **or 1.38% of all properties in San Francisco.**<sup>3</sup>

## National Register and California Register Properties

There are about 120 properties that are individually-listed in the National Register of Historic Places, with approximately 1,000 more that are contributors to National Register historic districts. These qualify as “historical resources” for the purposes of CEQA. Other properties have been determined eligible for listing in the National Register as part of Section 106 review under the National Historic Preservation Act and in environmental documentation prepared under CEQA. To date, over 3,500 buildings in San Francisco have been listed in or determined eligible for listing in the National Register. Under State law, properties listed in or formally determined eligible for listing in the National Register are automatically listed in the California Register of Historic Resources.

## Historic Resource Survey Areas

Large sections of the city have been documented by various historic survey projects over the past 45 years, often as a combined effort between local government and special interest groups. Past surveys include city-wide efforts such as *Here Today*, 1975 Architectural Survey, and Masonry Building (UMB) Survey. Starting in the 1970s, San Francisco Architectural Heritage has commissioned surveys of the city’s **Downtown** area, the **Van Ness Corridor**, **South of Market**, **North of Market**, **Civic Center**, **Chinatown**, **the Inner Richmond**, and the **Northeast Waterfront** areas.

The Planning Department’s **Citywide Cultural Resource Survey Program** has focused on documenting neighborhoods that are undergoing long-range planning efforts (including Area Plans and Better Neighborhoods Plans). These include **Market-Octavia**, **Japantown**, **Balboa Park**, **Inner Mission North**, **South Mission**, **Showplace Square**, **South of Market**, and **automotive support structures**. The Planning Department recently completed two large-scale Area Plan historic and cultural resource surveys for the **Central Waterfront** and **Transbay**.

<sup>1</sup> “Preservation Commission takes moderate stance,” *San Francisco Business Times*, June 27, 2010.

<sup>2</sup> Forty-one individual City Landmarks are also considered contributing properties to Historic and Conservation Districts, so the total number of properties does not count these twice.

<sup>3</sup> Based on the Planning Department’s May 19, 2009 calculation of legal city lots (152,880).