



March 13, 2025

Ms. Angela Calvillo, Clerk
Honorable Supervisor Melgar
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2024-009753PCA:**
Window Replacement Standards
Board File No. 241021

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Melgar,

On February 27, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Melgar. The proposed ordinance would amend the Planning Code to limit restrictions on window replacement in certain buildings. At the hearing the Planning Commission adopted a recommendation for approval with modifications.

The Commission's proposed modifications were as follows:

1. Modify 136.2(a) to clarify and narrow the scope of window replacements to be limited to frame and sash materials as follows:
 - a. Subject to the exceptions set forth in subsections (b) and (c), the *City Planning Department* shall impose no restrictions related to ~~the size, design, appearance, materials, finish, operation, details, or arrangement~~ the replacement materials of any window frame or sash that replaces an existing window.
2. Add exceptions per 136.2 (d) and (e) that would avoid potential conflicts with other Planning Code requirements related to Cultural Districts Objective Design Standards and window treatments, and transparency. Recommended exceptions language:

(d) In the case of conflict with other Planning Code requirements, including window treatments and transparency, the more restrictive standards shall apply.

(e) In the case of conflict with Cultural District Objective Design Standards, the more restrictive standards shall apply.

3. Replacing the historic building definition provided in 136.2(b)(1) and (2) with the “historic building” definition found in Planning Code Section 102.¹ Recommended language:

(d) (b) Exceptions Involving Historic Resources. The restrictions in subsection (a) shall not apply to replacement windows in any property, building, or structure already determined to be a Historic Building as defined in Planning Code Section 102. ~~-(1) on a lot containing any structure that is listed on, formally determined to be eligible for listing on, or formally determined to appear eligible for listing on, the National Register of Historic Places or the California Register of Historical Resources; or (2) on a lot containing any structure that is designated as a historic landmark or as a significant or contributory building to a historic or conservation district, under Articles 10 and 11 of the Planning Code~~

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,



Aaron D. Starr
Manager of Legislative Affairs

¹ Planning Code Section 102 Definition: Historic Building. A Historic Building is a building or structure that meets at least one of the following criteria:

- It is individually designated as a landmark under Article 10;
- It is listed as a contributor to an historic district listed in Article 10;
- It is a Significant or Contributory Building under Article 11, with a Category I, II, III or IV rating;
- It has been listed or has been determined eligible for listing in the California Register of Historical Resources; or,
- It has been listed or has been determined eligible for listing in the National Register of Historic Places.

cc: Peter Miljanich, Deputy City Attorney
Emma Hare, Aide to Supervisor Melgar
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21692

HEARING DATE: February 27, 2025

Project Name: Window Replacement Standards
Case Number: 2024-009753PCA [Board File No. 241021]
Initiated by: Supervisor Melgar / Introduced October 15, 2024/Extended January 14, 2025
Staff Contact: Michelle A. Taylor, Legislative Affairs
Michelle.Taylor@sfgov.org, 628-652-7352
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE TO LIMIT RESTRICTIONS ON WINDOW REPLACEMENT PROJECTS IN CERTAIN BUILDINGS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on October 15, 2024, Supervisor Melgar introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 241021, which would amend the Planning Code to limit restrictions on window replacement projects in certain buildings;

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on February 6, 2025 and continued the hearing to February 27, 2025; and,

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on February 27, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Planning 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 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

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

MOVED, that the Planning Commission hereby adopts a **recommendation for approval with modifications** of the proposed ordinance. The Commission's proposed recommendations are as follows:

1. Modify 136.2(a) to clarify and narrow the scope of window replacements to be limited to frame and sash materials as follows:

- a. Subject to the exceptions set forth in subsections (b) and (c), the ~~City Planning Department~~ shall impose no restrictions related to ~~the size, design, appearance, materials, finish, operation, details, or arrangement~~ the replacement materials of any window frame or sash that replaces an existing window.

2. Add exceptions per 136.2 (d) and (e) that would avoid potential conflicts with other Planning Code requirements related to Cultural Districts Objective Design Standards and window treatments, and transparency. Recommended exceptions language:

(d) In the case of conflict with other Planning Code requirements, including window treatments and transparency, the more restrictive standards shall apply.

(e) In the case of conflict with Cultural District Objective Design Standards, the more restrictive standards shall apply.

3. Replacing the historic building definition provided in 136.2(b)(1) and (2) with the "historic building" definition found in Planning Code Section 102.¹ Recommended language:

~~⊖~~ (b) Exceptions Involving Historic Resources. The restrictions in subsection (a) shall not

¹ Planning Code Section 102 Definition: Historic Building. A Historic Building is a building or structure that meets at least one of the following criteria:

- It is individually designated as a landmark under Article 10;
- It is listed as a contributor to an historic district listed in Article 10;
- It is a Significant or Contributory Building under Article 11, with a Category I, II, III or IV rating;
- It has been listed or has been determined eligible for listing in the California Register of Historical Resources; or,
- It has been listed or has been determined eligible for listing in the National Register of Historic Places.

apply to replacement windows in any property, building, or structure already determined to be a Historic Building as defined in Planning Code Section 102. ~~-(1) on a lot containing any structure that is listed on, formally determined to be eligible for listing on, or formally determined to appear eligible for listing on, the National Register of Historic Places or the California Register of Historical Resources; or (2) on a lot containing any structure that is designated as a historic landmark or as a significant or contributory building to a historic or conservation district, under Articles 10 and 11 of the Planning Code~~

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:

The Commission finds that proposed modifications would streamline the review of window replacements. These modifications would respond to property owners who request greater flexibility as it relates to replacement materials. The proposed modifications would also minimize potential contradictions with established codes and policies, while still simplifying the window permit process.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT concerns the physical character and order of the city, and the relationship between people and their environment.

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

Policy 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.8

Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

One goal of the Ordinance is to maintain the Department's oversight for buildings and districts that are historically significant to the City in order to protect the qualities that are associated with that significance. The proposed Ordinance would retain other important elements of a window on all buildings, including profile, design, depth, arrangement, transparency, and proportion. Therefore, the proposed Ordinance furthers these policies and objectives by maintaining and preserving the high quality of San Francisco buildings for the future enjoyment of San Francisco residents and visitors.

HOUSING ELEMENT

THE HOUSING ELEMENT serves as San Francisco's roadmap for meeting the housing needs of all its residents.

OBJECTIVE 5.C

ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES

Policy 41

Shape urban design policy, standards, and guidelines to enable cultural and identity expression, advance architectural creativity and durability, and foster neighborhood belonging.

Policy 42

Support cultural uses, activities, and architecture that sustain San Francisco's diverse cultural heritage.

With Staff's amendments the Ordinance will enable the expression of cultural identity by supporting Cultural District Objective Design Standards. Therefore, the proposed ordinance furthers these policies and objectives by preserving important cultural spaces for the enjoyment of communities and all San Franciscans.

BALBOA PARK STATION AREA PLAN

OBJECTIVE 6.4

RESPECT AND BUILD FROM THE SUCCESSFUL ESTABLISHED PATTERNS AND TRADITIONS OF BUILDING MASSING, ARTICULATION, AND ARCHITECTURAL CHARACTER OF THE AREA AND THE CITY.

POLICY 6.4.3

Ground floor retail uses should be tall, roomy and as permeable as possible.

CANDLESTICK SUBAREA PLAN

OBJECTIVE 3

CREATE A DIVERSE AND EXCITING URBAN NEIGHBORHOOD THAT IS ENGAGING, COMFORTABLE, AND HAS CONVENIENT ACCESS TO AMENITIES, OPTIMIZES ITS WATERFRONT SETTING AND REFLECTS SAN FRANCISCO BUILT FORM AND CHARACTER IN A CONTEMPORARY WAY.

POLICY 3.6

Assure high quality architecture of individual buildings that work together to create a coherent and identifiable place while being individually distinguishable.

CENTRAL SOMA AREA PLAN

OBJECTIVE 8.1

ENSURE THAT THE GROUND FLOORS OF BUILDINGS CONTRIBUTE TO THE ACTIVATION, SAFETY, AND DYNAMISM OF THE NEIGHBORHOOD

POLICY 8.1.1

Require that ground floor uses actively engage the street.

OBJECTIVE 8.6

PROMOTE HIGH QUALITY ARCHITECTURE THAT ENHANCES THE NEIGHBORHOOD

POLICY 8.6.1

Conform to the City's Urban Design Guidelines.

POLICY 8.6.2

Promote innovative and contextually-appropriate design.

POLICY 8.6.3

Design the upper floors to be deferential to the "urban room".

CENTRAL WATERFRONT AREA PLAN

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

POLICY 3.2.1

Require high quality design of street-facing building exteriors.

POLICY 3.2.1.C:

Windows should have a minimum recess of 3 inches, generally should be oriented, and open, vertically, and the frames should not be made of vinyl.

POLICY 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

POLICY 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

CHINATOWN AREA PLAN

OBJECTIVE 11

PRESERVE THE DISTINCTIVE URBAN CHARACTER, PHYSICAL ENVIRONMENT AND CULTURAL HERITAGE OF CHINATOWN

POLICY 1.2

Promote a building form that harmonizes with the scale of existing buildings and width of Chinatown's streets.

Glass. The use of clear un-tinted glass on the first two or three floors of buildings permitting pedestrians to glimpse the activity within, contributing to the overall sense of liveliness of the street. Dark tinted windows create a blank impersonal street front with no sense of life or activity and should be discouraged.

CIVIC CENTER AREA PLAN

OBJECTIVE 1

MAINTAIN AND REINFORCE THE CIVIC CENTER AS THE SYMBOLIC AND CEREMONIAL FOCUS OF COMMUNITY GOVERNMENT AND CULTURE

POLICY 1.2

Maintain the formal architectural character of the Civic Center.

DOWNTOWN AREA PLAN

OBJECTIVE 16

CREATE AND MAINTAIN ATTRACTIVE, INTERESTING URBAN STREETSCAPES

POLICY 16.4

Use designs and materials and include activities at the ground floor to create pedestrian interest.

Glass. The use of clear un-tinted glass on the first two or three floors of buildings permitting pedestrians to glimpse the activity within, contributing to the overall sense of liveliness of the street. Dark tinted windows create a blank impersonal street front with no sense of life or activity and should be discouraged.

EAST SOMA AREA PLAN

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

POLICY 3.2.1

Require high quality design of street-facing building exteriors.

POLICY 3.2.1.C:

Windows should have a minimum recess of 3 inches, generally should be oriented, and open, vertically, and the frames should not be made of vinyl.

POLICY 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

POLICY 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

EXECUTIVE PARK SUB AREA PLAN

OBJECTIVE 4

ENCOURAGE WALKING AND BICYCLING AS THE PRIMARY MEANS OF ACCESSING DAILY SERVICES AND NEEDS.

POLICY 4.2

Improve pedestrian areas by ensuring human scale and interest.

OBJECTIVE 6

ESTABLISH A RESIDENTIAL COMMUNITY THAT REFLECTS THE SCALE AND CHARACTER OF A TYPICAL SAN FRANCISCO URBAN NEIGHBORHOOD.

POLICY 6.1

Provide a consistent streetwall that defines the street as a useable, comfortable civic space.

POLICY 6.2

Require an engaging transition between private development and the public realm.

GLEN PARK AREA PLAN

OBJECTIVE 1

PROTECT AND STRENGTHEN THE QUALITIES THAT MAKE DOWNTOWN GLEN PARK SPECIAL

POLICY 1.4

Improve the streetscape in the commercial core to make the area safer and more comfortable for pedestrians and shoppers.

OBJECTIVE 3

RECOGNIZE THE CONTRIBUTION OF HISTORIC BUILDINGS TO NEIGHBORHOOD IDENTITY

POLICY 3.2

Apply the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties for projects involving historic resources.

POLICY 3.3

Protect historic buildings in Glen Park from demolition or adverse alteration.

MARKET OCTAVIA AREA PLAN

OBJECTIVE 3

PROMOTE THE PRESERVATION OF NOTABLE HISTORIC LANDMARKS, INDIVIDUAL HISTORIC BUILDINGS, AND FEATURES THAT HELP TO PROVIDE CONTINUITY WITH THE PAST

POLICY 3.3.7

Ensure that changes in the built environment respect the historic character and cultural heritage of the area, and that resource sustainability is supported

POLICY 3.3.8

Encourage new building design that respects the character of nearby older development

POLICY 3.3.11

Apply the Secretary of the Interior's Standards for the Treatment of Historic Properties for infill construction in Historic Districts and Conservation Districts (designated at the local, state, or national level) to assure compatibility with the character of districts

OBJECTIVE 3 IMPLEMENTATION:

Implement Fundamental Design Principles for Building Massing and Articulation

Fundamental Design Principles for Building Massing and Articulation

Principle 4: Building façades should include three-dimensional detailing; these may include bay windows, cornices, belt courses, window moldings, and reveals to create shadows and add interest.

Principle 5: Building façades that face the public realm should be articulated with a strong rhythm of regular vertical elements.

Fundamental Design Principles for Ground Floor:

Principle 2: No more than 30 percent of the width of the ground floor may be devoted to garage entries or blank walls.

Principle 5. Building entries and shop fronts should add to the character of the street by being clearly identifiable and inviting.

MISSION AREA PLAN

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

POLICY 3.2.1

Require high quality design of street-facing building exteriors.

POLICY 3.2.1.C:

Windows should have a minimum recess of 3 inches, generally should be oriented, and open, vertically, and the frames should not be made of vinyl.

NORTHEASTERN WATERFRONT AREA PLAN

OBJECTIVE 10

TO DEVELOP THE FULL POTENTIAL OF THE NORTHEASTERN WATERFRONT IN ACCORD WITH THE UNIQUE OPPORTUNITIES PRESENTED BY ITS RELATION TO THE BAY, TO THE OPERATING PORT, FISHING INDUSTRY, AND DOWNTOWN; AND TO ENHANCE ITS UNIQUE AESTHETIC QUALITIES OFFERED BY WATER, TOPOGRAPHY, VIEWS OF THE CITY AND BAY, AND ITS HISTORIC MARITIME CHARACTER

POLICY 10.27

Prohibit the use of reflective glass. Use flat glass skylights and discourage the use of dark tinted glass to increase transparency in highly visible areas.

SHOWPLACE SQUARE/POTRERO AREA PLAN

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

POLICY 3.2.1

Require high quality design of street-facing building exteriors.

POLICY 3.2.1.C:

Windows should have a minimum recess of 3 inches, generally should be oriented, and open, vertically, and the frames should not be made of vinyl.

TRANSIT CENTER DISTRICT SUBAREA PLAN (DOWNTOWN AREA PLAN)

OBJECTIVE 2.12

ENSURE THAT DEVELOPMENT IS PEDESTRIAN-ORIENTED, FOSTERING A VITAL AND ACTIVE STREET LIFE.

OBJECTIVE 2.13

ENACT URBAN DESIGN CONTROLS TO ENSURE THAT THE GROUND-LEVEL INTERFACE OF BUILDINGS IS ACTIVE AND ENGAGING FOR PEDESTRIANS, IN ADDITION TO PROVIDING ADEQUATE SUPPORTING RETAIL AND PUBLIC SERVICES FOR THE DISTRICT.

OBJECTIVE 2.15

ENCOURAGE ARTICULATION OF THE BUILDING FAÇADE TO HELP DEFINE THE PEDESTRIAN REALM.

OBJECTIVE 2.16

MINIMIZE AND PROHIBIT BLANK WALLS AND ACCESS TO OFF-STREET PARKING AND LOADING AT THE GROUND FLOOR ON PRIMARY STREETS TO HELP PRESERVE A SAFE AND ACTIVE PEDESTRIAN ENVIRONMENT.

POLICY 2.15

Establish a pedestrian zone below a building height of 20 to 25 feet through the use of façade treatments, such as building projections, changes in materials, setbacks, or other such architectural articulation.

POLICY 2.20

Require transparency of ground-level facades (containing non-residential uses) that face public spaces.

Objective 2.17

PROMOTE A HIGH LEVEL OF QUALITY OF DESIGN AND EXECUTION, AND ENHANCE THE DESIGN AND MATERIAL QUALITY OF THE NEIGHBORING ARCHITECTURE.

VAN NESS AVENUE AREA PLAN

OBJECTIVE 6

ENCOURAGE DISTINGUISHED ARCHITECTURE WHOSE SCALE, COMPOSITION AND DETAILING ENHANCES THE OVERALL DESIGN STRUCTURE OF THE AVENUE AND RELATES TO HUMAN SCALE.

POLICY 6.2

Create varied rhythms in developments on large lots by inserting vertical piers/columns, or changes in fenestration and materials to articulate what otherwise would be an undifferentiated facade plane.

POLICY 6.4

Differentiate bases of buildings and incorporate detail at ground level through variety in materials, color, texture and architectural projections. Provide windows with clear glass throughout the building.

OBJECTIVE 11

PRESERVE THE FINE ARCHITECTURAL RESOURCES OF VAN NESS AVENUE.

POLICY 11.4

Encourage architectural integration of new structures with adjacent significant and contributory buildings.

With Staff's amendments the Ordinance is consistent with Area Plan guidance and will maintain the importance of transparency, activity and pedestrian engagement by supporting windows and visual permeability at storefronts, PDR spaces, and active uses. The proposed Ordinance would also support guidance related to building architecture quality and articulation on both historic buildings and non-historic buildings. Additionally, the Ordinance will maintain the Department's oversight of replacement windows profile, design, depth, arrangement, transparency, and proportion. Overall, the proposed Ordinance furthers

these policies and objectives by maintaining and preserving the high quality of San Francisco buildings for the future enjoyment of San Francisco residents and visitors.

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.

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 an effect on the quality of housing or neighborhood architecture. Overall, the proposed modified Ordinance would maintain key attributes of window design that are intended to address basic principles of urban design that result in residential development that enhances the unique setting and design of the City and its residential neighborhoods.

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

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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.

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.

Planning Code Section 302 Findings.

The Planning 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 RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 27, 2025.



Jonas P. Ionin
Commission Secretary

AYES: Campbell, McGarry, Williams, Braun, Imperial, So
NOES: Moore
ABSENT: None
ADOPTED: February 27, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: February 27, 2025

Continued From: February 6, 2025

90-Day Deadline: April 21, 2025

Project Name: Window Replacement Standards
Case Number: 2024-009753PCA [Board File No. 241021]
Initiated by: Supervisor Melgar/ Introduced October 15, 2024/Extended January 14, 2025
Staff Contact: Michelle Taylor Current Planning
Michelle.Taylor@sfgov.org, 628-652-7352
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Environmental Review: Not a Project Under CEQA

RECOMMENDATION: Approval with Modifications

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to limit restrictions on window replacement projects in certain buildings.

The Way It Is Now:

1. The Planning Department reviews replacement of existing windows on all street facing elevations of all buildings, regardless of age, style, use, or historic status.
2. The Planning Department considers a “replacement window” as replacement of an existing window *within an existing opening*. Changes to a window size or location on any elevation, street facing or

not, would be considered **a new opening** subject to additional code and design review.

3. The Planning Department reviews replacement windows in conformance with applicable design guidelines. Design guidelines may be specifically related to a building type, use, neighborhood, area plan, cultural district, age, and/or style. The Department reviews materiality, operation, depth, and style of replacement windows. Vinyl is not a permitted replacement material on street facing elevations.
4. The Planning Department reviews replacement windows in conformance with Planning Code requirements.

The Way It Would Be:

1. The Planning Department would review the replacement of existing windows on street facing elevations based only on the historic status of the building.
2. The Planning Department would consider a “replacement window” to be replacement of an existing window with a new window *of any size, location, arrangement, or design*. Changes to a window size or location, on any elevation, would **not** be considered a new opening and would not be subject to additional code and design review. Any material, including vinyl, would be permitted on street-facing elevations.
3. The Planning Department would only review replacement windows in conformance with applicable design guidelines if a property was a historic resource.
4. The Planning Department would only review replacement windows in conformance with Planning Code requirements if a property is a historic resource.

Background

Residential Window Standards

The San Francisco General Plan, the Planning Code’s Priority Planning Policies, and the Residential Design Guidelines (RDG’s) each call for protecting and enhancing neighborhood architecture citywide. The Department’s *Residential Design Guidelines* (2003) established window requirements for all buildings within a Residential Zoning District.¹ In 2010, to supplement the RDG’s, the Planning Department issued *Standards for Window Replacement: A Guide to Applying for a Window Replacement Permit* (Window Standards). The Window Standards were intended to provide in writing the Department’s policy and guidance for street-facing windows in concert with the RDG’s.²

¹ <https://sfplanning.org/resource/residential-design-guidelines> (page 46)

² <https://sfplanning.org/resource/standards-window-replacement>

Following publication of the *Window Standards*, the Department received feedback that the document was not user friendly and did not provide clear or consistent guidance. As a result, applicants often felt frustrated with both the document and the Planning Department permit review process. Hearing these concerns, Planning Department staff consulted with window manufacturers, contractors, preservationists, and architects, set out to create new guidelines. Since 2022, the Planning Department has been working to simplify our window process and in 2023, we began piloting a straightforward, concise, less expensive, and more flexible set of window replacement standards. The draft standards are intended to provide greater certainty, consistency, and flexibility for homeowners and developers alike. A copy of the draft standards is available in Appendix D, but can briefly summarized as follows:

- The Department reviews building permits for the replacement of windows within existing openings on elevations that are visible from the street.
- Historic buildings (Category A): Replacement windows should match original windows as close as possible.
- Buildings with an undetermined historic status (Category B): Replacement windows should be compatible with the style of the building and nearby buildings including their materials and operation. There is greater flexibility in acceptable replacement materials based on the age and style of the building. Vinyl is not an acceptable material.
- Non-historic buildings (Category C): Replacement windows should be compatible with the character of the neighborhood and of the highest quality feasible. Most materials except for Vinyl are acceptable.

Throughout 2023 and 2024, the Planning Department continued conversations with community stakeholders, sister agencies, and architects (including AIA) to further refine the new draft standards. Revisions were both responsive to homeowners' concerns regarding clarity and in conformance with all established design guidelines. The draft standards also removed any requirement regarding incorporation of ogee lugs on non-historic properties. In 2024, Supervisor Melgar notified Planning Department staff that her office intended to propose legislation that would permit vinyl replacement windows on all elevations.

Issues and Considerations

Proposed Language Exceeds Stated Intention.

It is the Department's understanding that the intention of the Ordinance is twofold:

- 1) Allow vinyl frames for the replacement of windows
- 2) Improve permit review process for applicants.

However, the proposed breadth of replacement allowances in the proposed Ordinance includes *size, design, appearance, materials, finish, operation, details, or arrangement*. This could cause unintended consequences and result in potential conflicts with the Planning Code and adopted design guidelines and standards.

The Planning Department's paramount concern is how the proposed Ordinance could conflict with existing Planning Code and Commission adopted guidelines.

Conflicts with Planning Code

The proposed language provides exceptions for historic buildings and Building or Fire code requirements. However, it does not include exceptions for window replacements which may conflict with existing Planning Code requirements related to storefront transparency, window location, residential exposure, bird-safety requirements, and size. As a result, the proposed Ordinance language as written may result in new windows which do not meet other portions of the Planning Code.

Design Guidelines

The proposed changes may conflict with longstanding Department guidelines, along with community-led design guidelines, in areas not identified as historic resources or historic districts. Furthermore, the proposed Ordinance would restrict the ability of the Planning Commission, Planning Department, or community groups from implementing discretionary review of windows, on any building type or use, based on past or future guidance.

Cultural District Design Standards

Projects subject to the Housing Accountability Act (HAA) under California Government Code Section 65589.5 are subject only to objective design standards. In 2025, the Planning Department will be assisting Cultural Districts who have requested objective design standards to sensitively manage new construction in their neighborhoods. The Department recognizes that such Standards may include window location, design, depth, materials, and transparency. Cultural Districts may not necessarily be associated with a historic district and therefore may not meet the historic exceptions of the proposed Ordinance.

Historic Resources

The proposed Ordinance creates an exception for historic properties, thereby supporting the Department's commitment to preservation of the City's historic properties

CEQA (California Environmental Quality Act)

The proposed legislation does not negate state environmental review requirements. Therefore, if the historic status was unknown (Category B) then the Department would need to determine whether a building is historic or if the replacement windows would impact a building's character defining features before an applicant could take advantage of the code allowance.

Window Materiality and Costs

Window replacement, like other forms of building maintenance, can be costly for homeowners. The Planning Department has heard from applicants that vinyl windows are the preferred option for some because of affordability and weather-tightness. The Department has conducted a preliminary cost analysis of different window materials and determined that vinyl windows are the most affordable of window material options as it relates to upfront costs. However, the Department's analysis also found that alternate replacement materials may have greater upfront costs but greater long-term durability.

General Plan Compliance

The General Plan and Urban Design Element are intended to guide the quality, materiality, and architecture of the city's streetscape. The proposed Ordinance is consistent with the General Plan's Urban Design Element Objectives and Policies as it relates to the preservation of historic properties. The Department would maintain oversight for buildings and districts that are determined architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance. The proposed Ordinance therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the historic properties for the future enjoyment and education of San Francisco residents and visitors.

With the Department's proposed amendments, the Ordinance is consistent with the General Plan's Urban Design Element Objectives and Policies as it relates to the quality and appearance of windows and storefronts in *non-historic* buildings. With the proposed amendments, the Ordinance would not limit the Department's ability to implement rules and policies related to storefront transparency, active ground floor spaces, and ensure visual variation on street-facing elevations.

In addition to topic specific Elements, the Department also considers consistency with Area Plans adopted under the General Plan. Area Plans are guiding documents created in collaboration with city agencies, stakeholders, and community members typically as part of larger zoning efforts. These Plans guide the long-term development of an area or neighborhood, responding to its unique characteristics by addressing issues around housing, jobs, transportation, parks and other neighborhood elements that contribute to creating complete neighborhoods. With Staff's proposed amendments, the Ordinance is consistent with a number of Area Plans which include guidance specific to windows, architectural articulation, transparency, materiality, and pedestrian scale. The proposed amendments would maintain the importance of transparency, activity and pedestrian engagement and visual permeability at storefronts, PDR spaces, and active uses. The proposed amendments would also support Area Plan guidance related to building architecture quality and articulation. Therefore, the proposed Ordinance with Staff's amendments would not conflict with these policies and objectives.

Racial and Social Equity Analysis

Understanding the potential benefits, burdens, and the opportunities to advance racial and social equity that proposed Planning Code amendments provide is part of the Department's Racial and Social Equity Action Plan. This is also consistent with the Mayor's Citywide Strategic Initiatives for equity and accountability, the Planning and Historic Preservation Commissions' 2020 Equity Resolutions, and with the Office of Racial Equity mandates, which requires all Departments to conduct this analysis. Below are some specific issues to consider:

- As noted, window replacements can be a costly expense for homeowners. The burden of building maintenance may be especially acute for those within equity populations and historically marginalized groups. The proposed Ordinance would provide homeowners with a replacement window option which may provide lower upfront costs than is currently permitted by the Planning Department.
- Some Cultural Districts have developed neighborhood-specific design guidelines which are consistent

with the values, design, and cultural significance of a neighborhood. These guidelines may include specific guidance about the location, transparency, proportion, and appearance of windows. A Cultural District does not meet the definition of a historic district; therefore, a Cultural District would not be subject to historic building exceptions. As such, the proposed Ordinance may conflict with the guidelines developed by historically marginalized cultural groups.

Implementation

The Department has determined that this Ordinance will impact our current implementation procedures; however, the proposed changes can be implemented without increasing permit costs or review time.

Recommendation

The Department recommends that the Commission **adopt a recommendation for approval with modifications** of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendations are as follows:

1. Modify 136.2(a) to clarify and narrow the scope of window replacements to be limited to frame and sash materials as follows:
 - a. Subject to the exceptions set forth in subsections (b) and (c), the City Planning Department shall impose no restrictions related to ~~the size, design, appearance, materials, finish, operation, details, or arrangement~~ the replacement materials of any window frame or sash that replaces an existing window.
2. Add exceptions per 136.2 (d) and (e) that would avoid potential conflicts with other Planning Code requirements related to Cultural Districts Objective Design Standards and window treatments, and transparency. Recommended exceptions language:

(d) In the case of conflict with other Planning Code requirements, including window treatments and transparency, the more restrictive standards shall apply.

(e) In the case of conflict with Cultural District Objective Design Standards, the more restrictive standards shall apply.
3. Replacing the historic building definition provided in 136.2(b)(1) and (2) with the "historic building" definition found in Planning Code Section 102.³ Recommended language:

³ Planning Code Section 102 Definition: Historic Building. A Historic Building is a building or structure that meets at least

- ⌘. (b) Exceptions Involving Historic Resources. The restrictions in subsection (a) shall not apply to replacement windows in any property, building, or structure *already determined to be a Historic Building as defined in Planning Code Section 102. :(1) on a lot containing any structure that is listed on, formally determined to be eligible for listing on, or formally determined to appear eligible for listing on, the National Register of Historic Places or the California Register of Historical Resources; or (2) on a lot containing any structure that is designated as a historic landmark or as a significant or contributory building to a historic or conservation district, under Articles 10 and 11 of the Planning Code*

Basis for Recommendation

The Planning Commission and Planning Department has historically recognized the tangible and intangible qualities that windows play within the urban fabric. Collectively, through adopted guidelines, objectives, and policies, the Department and Commission have instilled standards related to the materiality, arrangement, transparency, detailing, and operation of windows. They have recognized that these qualities are critical to ensuring the high quality and unique architecture that San Francisco is recognized is maintained.

The Department supports the overall goals of this Ordinance because it intends to create a faster, more predictable process for the review window replacement permits. The Ordinance is also consistent with the Department's commitment to preservation of the City's historic properties. However, the proposed Ordinance, as written, is too broad and could create potential conflicts with existing Planning Code, design guidelines, objectives, and policies. Therefore, the Department proposes the following recommendations:

Recommendation 1: Modify 136.2(a) to clarify and narrow the scope of window replacements to frame materials. As currently drafted, the proposed Ordinance language is too broad and may create conflicts with the Planning Code and policies. The revised language achieves the following clarifications:

- a. Replace "the City" to the "Planning Department". The proposed Ordinance would modify the Planning Code and therefore should be limited to Planning Department purview to avoid confusion or unintentional conflicts with other (unspecified) city codes.
- b. Narrow the focus of the Ordinance to **window frame materials** only. The intent of the Ordinance is in large part to provide property owners with greater flexibility regarding window frame materials (specifically to allow vinyl windows) when replacing windows. However, the proposed language goes far beyond this intent, mentioning, arrangement, size, location, etc. As a result, the overly broad language could unintentionally conflict well-established code requirements

one of the following criteria:

- It is individually designated as a landmark under Article 10;
- It is listed as a contributor to an historic district listed in Article 10;
- It is a Significant or Contributory Building under Article 11, with a Category I, II, III or IV rating;
- It has been listed or has been determined eligible for listing in the California Register of Historical Resources; or,
- It has been listed or has been determined eligible for listing in the National Register of Historic Places.

related to exposure, transparency, and active uses. The narrowed scope of the Ordinance would also conform to sections of the General Plan, Elements and Area Plans which relate to windows.

- c. The Department defines a replacement window as a replacement of an existing window within the same opening. Defining what a replacement window provides clarity and prevents modifications to existing windows which may result in non-compliance with planning code or guidelines.

Recommendation 2: Add subsections 136.2 (d) and (e) which would create two additional exceptions to avoid potential conflicts with other Planning Code requirements related to Cultural Districts Objective Design Standards and window treatments, and transparency. This added language is meant to ensure that where potential conflicts between code sections arise, the strictest code shall apply.

- a. Subsection (d) would ensure that any replacement window would meet current Planning Code requirements such as exposure, transparency, active use requirements, etc.
- b. Projects subject to the Housing Accountability Act (HAA) under California Government Code Section 65589.5 are subject only to objective design standards. In the future, the Department will be working with Cultural Districts who are requesting the establishment of Objective Design Standards for their neighborhoods. Subsection (e) language would provide Cultural Districts with greater authority regarding window replacements.

Recommendation 3: Replace the historic building definition provided in 136.2(b)(1) and (2) with the “historic building” definition found in Planning Code Section 102. This recommendation ensures consistency with how the Planning Code defines a historic building. The definition provided in Section 102 was adopted by the Planning Commission in 2023 as part of the Housing Constraints Ordinance [Board File No. 230446].

Therefore, the Department finds that proposed amendments would maintain the intended goal of streamlined review of window replacements while also maintaining the architectural quality of windows within the urban fabric. These modifications would also respond to property owners who request greater flexibility as it relates to replacement materials. The modified language ensures greater accommodation to property owners confronting variations in cost of materials, without compromising Planning Code requirements related to exposure, transparency, formula retail, and bird safety. Ultimately, the proposed modifications would also minimize potential contradictions with established codes and policies, while still simplifying the window permit process.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has received public comments regarding the proposed Ordinance from 22 individuals or organizations. The Department also received a joint letter in support of the proposed Ordinance signed by five community organizations, including the San Francisco Tenants Union and the SF Climate Emergency Coalition, and approximately 35 individuals. Primary reasons for support included creating a less burdensome and more affordable process for homeowners, a de-emphasis on “aesthetic” requirements, and how the new Ordinance would address concerns related to air pollution, noise, equity, and the climate. In addition to signing this joint letter of support, eight of the individuals, along with the Sierra Club and San Francisco League of Voters, also submitted individual letters further emphasizing their support of the proposed Ordinance. Other individuals who expressed support for the Ordinance also noted the expense and burdensome process of replacing aging windows under current standards. A small number of letters also requested expansion of the Ordinance to include historic buildings.

ATTACHMENTS:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 241021
- Exhibit C: Letters of Support/Opposition
- Exhibit D: Draft Planning Department Window Guidelines