

1 [Provide for Landmarks Preservation Advisory Board Advice on Alterations to Historic
2 Properties; Time and Material Charges.]

3 **Ordinance amending Section 1009 and Section 356 of the Planning Code to provide**
4 **that property owners may seek the written advice of the Landmarks Preservation**
5 **Advisory Board as to whether proposed alterations to an historic property are**
6 **consistent with the Secretary of the Interior’s Standards for Treatment of Historic**
7 **Properties with Guidelines for Preserving, Rehabilitating Restoring, and**
8 **Reconstructing Historic Buildings, defining historic properties, providing that the**
9 **Planning Department may charge any party requesting the Advisory Board’s advice for**
10 **the Department’s time and materials costs, and making findings of consistency with**
11 **the priority policies of Planning Code Section 101.1 and the General Plan.**

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13 Note: Additions are *single-underline italics Times New Roman*;
14 deletions are ~~*strikethrough italics Times New Roman*~~.
15 Board amendment additions are double underlined.
16 Board amendment deletions are ~~strikethrough normal~~.

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

18 Section 1. General Plan and Priority Policy Findings

19 (1) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
20 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
21 Planning Commission Resolution No. _____ recommending approval of this Planning
22 Code Amendment, and incorporates such reasons by this reference thereto. A copy of said
23 resolution is on file with the Clerk of the Board of Supervisors in File No. _____.

24 (2) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this
25 ordinance is consistent with the Priority Policies of Section 101.1(b) of the Planning Code and
with the General Plan and hereby adopts the findings of the Planning Commission, as set

1 forth in Planning Commission Resolution No. _____, and incorporates said findings by this
2 reference thereto.

3 Section 2. The San Francisco Planning Code is hereby amended by amending Section
4 1009, to read as follows:

5 Sec. 1009. ADVICE AND GUIDANCE TO PROPERTY OWNERS.

6 (a) The Advisory Board may, upon request of the property owner, render advice and
7 guidance with respect to any proposed work for which a Certificate of Appropriateness is not
8 required, on a designated landmark site or in a designated historic district. In rendering such
9 advice and guidance, the Advisory Board shall be guided by the purposes and standards in
10 this Article 10. This Section shall not be construed to impose any regulations or controls upon
11 any property.

12 (b) The Advisory Board shall, upon request of a property owner, provide written advice as to
13 the consistency of any proposed alteration to an historic property, as defined in subsection (b)(1)
14 below, with the Secretary of the Interior's Standards for Treatment of Historic Properties with
15 Guidelines for Preserving, Rehabilitating Restoring, and Reconstructing Historic Buildings, and shall
16 recommend, if necessary, modifications that would bring the proposed alterations into consistency with
17 those standards.

18 (1) An historic property for the purposes of Section 1009(b) shall be (i) a property listed in
19 Article 10 of the Planning Code as a Landmark, Structure of Merit, or as a contributing property to an
20 Historic District, (ii) a property listed in Article 11 of the Planning Code as a Category I, II, III, or IV
21 property, or (iii) a property listed or formally determined eligible for individual listing or listed or
22 formally determined eligible for listing as a contributing property to a historic district in the National
23 Register of Historic Places or the California Register of Historic Resources.

24 (2) The advice process set forth in this Section 1009(b) may be combined with the
25 procedures for approval of a Certificate of Appropriateness; provided, however, that the advisory

1 process set forth in this Section 1009(b) shall not take the place of or direct the decision to approve or
2 disapprove any application for a Certificate of Appropriateness.

3 Section 3. The San Francisco Planning Code is hereby amended by amending Section
4 356, to read as follows:

5 SEC. 356. PRESERVATION APPLICATIONS. (Article 10).

6 (a) Landmark: \$250.

7 (b) Amendment, Rescission or Designation of Historical District: \$1,000 plus
8 time and materials in excess of fee paid.

9 (c) Certificate of Appropriateness:

<u>Estimated Construction Cost</u>	<u>Fee</u>
11 Less than \$1,000	\$200
12 \$1,000 to \$9,999	\$400
13 \$10,000 or more	14 Conditional Use Fee Schedule (Section 352(a))

15 (d) Determination that a building is a compatible rehabilitation or a
16 compatible replacement building, pursuant to Section 309 or 1109: Same as for Conditional
17 Use (Section 352(a)).

18 (e) Processing and administering an application for an historical properties
19 contract under the California Mills Act, California Government Code Sections 50280—50290:
20 \$322 for first four hours of staff time plus time and materials as set forth in Section 350(c).

21 (f) Providing written advice from the Landmarks Preservation Advisory Board to
22 property owners as requested pursuant to Planning Code Section 1009(b): The Planning Department
23 may charge any party requesting the Landmarks Preservation Advisory Board's advice for the
24 Department's time and materials costs to process the request as set forth in Planning Code section
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1 350(c). The Planning Department may also charge for any time and material costs incurred by other
2 departments or agencies of the City and County of San Francisco in processing requests.

3 Section 4. The Planning Department has determined that the actions contemplated in
4 this Ordinance are in compliance with the California Environmental Quality Act (California
5 Public Resources Code sections 21000 et seq.) Said determination is on file with the Clerk of
6 the Board of Supervisors in File No. _____ and is incorporated herein by reference.

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8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: _____
11 Kate Herrmann Stacy
12 Deputy City Attorney
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