

**SAN FRANCISCO**  
**PRESERVATION BULLETIN NO. 1**

**JURISDICTION AND PROCEDURES OF THE  
LANDMARKS PRESERVATION ADVISORY BOARD  
(LANDMARKS BOARD)**

**LANDMARKS BOARD**

This summary is designed to clarify for project sponsors and the general public the jurisdiction and procedures of the San Francisco Landmarks Preservation Advisory Board, (Landmarks Board). The Landmarks Board is a nine-member body appointed by the Mayor that serves as an advisory board to the Planning Department and the Planning Commission. The Landmarks Board was established in 1967 with the adoption of Article 10 of the Planning Code. As of 2002, the City had designated more than 231 landmark sites and eleven historic districts. The work of the Landmarks Board, the Planning Department and the Planning Commission has resulted in an increase of public awareness about the need to protect the City's architectural, historical and cultural heritage.

The Landmarks Board also has a role in making recommendations to the Planning Department and the Planning Commission on building permit applications that involve construction, alteration or demolition of landmark sites and resources located within historic districts. The Landmarks Board may also review and comment on projects affecting historic resources through the California Environmental Quality Act (CEQA) or projects under Section 106 of the National Historic Preservation Act.

**LANDMARK AND HISTORIC DISTRICT DESIGNATION PROCEDURES**

The process for designation of landmarks and historic districts in San Francisco is governed by procedures set forth in Planning Code Article 10, Section 1004. The purpose of Article 10 is to preserve and protect cultural resources citywide. Article 10 includes the City's official list of designated historic resources that, in terms of the City's built environment have been determined to be the most significant contributors to San Francisco's architecture, history and cultural heritage of the City and County. All designated city landmarks listed in Appendix A, Article 10 and historic districts are listed in Appendices B-L, of Article 10.

A landmark or historic district designation occurs as follows:

- Research is needed for each and every cultural resource proposed for designation. For proposed historic districts, a building-by-building inventory is required for every parcel contained within the boundaries of the proposed historic district.
- A Landmark/Historic District Designation Report is prepared to include the date of construction, the architect or builder, style, design features, historic and physical contexts and an assessment as to whether the resource conveys integrity.

- Once a Designation Report is submitted to the Planning Department, Department staff will undertake a preliminary review of the document and schedule a public hearing at the Landmarks Board. The form of the designation is as an ordinance, which appends Article 10.
- The ordinance incorporates by reference the Landmark Designation Report. If an historic district is proposed for designation, individual building descriptions are also incorporated. The ordinance may include guidelines for alteration and new construction.
- After review by the City Attorney, the route for designation is from the Landmarks Board to the Planning Commission and then to the Board of Supervisors. Properties are recorded at the Office of the Assessor/Recorder after the Mayor signs the ordinance that creates a landmark or historic district. *See Preservation Bulletin No. 5, Landmark and Historic District Designation Procedures.*

## **CERTIFICATE OF APPROPRIATENESS**

A Certificate of Appropriateness (C of A) is generally required for most exterior alterations and all demolitions of structures that are designated local landmarks and for most exterior alterations and all demolitions and new construction related to a site or structure within a designated local historic district, when a City permit is required. Any work involving a sign, awning, marquee, canopy or other appendage for which a City permit is required on a landmark site or in an historic district also requires a C of A.

In some historic districts, even some work that does not require a permit (such as painting and landscaping, for instance in the Jackson Square Historic District) require a C of A. The rules that determine the need for a C of A are discussed in Planning Code Sections 1005 and 1006 for designated City Landmarks as well as Section 7, "Additional Provisions for Certificates of Appropriateness," in each Appendix to Article 10. Each appendix regulates a separate historic district and has other, usually additional provisions detailing what requires a C of A in that historic district. The C of A application forms are available at the Planning Information Center counter (PIC).

In evaluating proposed alterations, the Landmarks Board refers to the Secretary of the Interior's *Standards for the Treatment of Historic Properties*, which includes the Secretary of the Interior's *Standards for Rehabilitation*. The Landmarks Board first adopted these standards in 1985. An updated version of the *Standards* dated 1992, were adopted by the Landmarks Board in 1994. This document is available at the Planning Information Center counter (PIC). All project sponsors should be familiar with the *Standards* and design their projects accordingly.

Once a C of A application is determined complete by Planning Department staff, the project is heard by the Landmarks Board. The Landmarks Board provides its findings to the Planning Department in cases of alterations. The Landmarks Board provides its finding to the Planning Commission in cases of demolitions of landmarks and for all demolitions and new construction of buildings within historic districts, as well as for any C of A that is recommended for disapproval by the Planning Department for which the Planning Commission requests a review.

If, after consideration of the findings of the Landmarks Board, the Planning Department finds that the proposal would not have a significant impact or is not potentially detrimental

to a landmark site or historic district, then the Planning Department issues the C of A. Any required building permit or other applications can be reviewed administratively by the Planning Department so long as they are in conformance with the C of A. The building permit on file with the Department of Building Inspection (DBI) should correspond to the project approved by the Landmarks Board.

The Landmarks Board urges project sponsors to meet with Department staff to discuss proposed rehabilitation projects on designated cultural resources as early as possible. This “early read” project review may take place even before the building is bought, before a permit is filed, or a project is designed. A project review meeting provides project sponsors and Planning Department staff with a focused means of discussing code requirements, planning processes and departmental policies related to a specific project proposal. The required fee of \$105 covers 45-minutes for the project review meeting and any required pre- or post-meeting staff research time up to a total of two hours. For more information, contact the Planning Department at (415) 558-6300.

### **APPEAL OF A CERTIFICATE OF APPROPRIATENESS**

A project sponsor’s appeal route for a C of A denied by the Planning Commission is to the Board of Supervisors. Building permits, used to implement a C of A, are appealable to the Board of Appeals. See *Preservation Bulletin No. 4, Certificate of Appropriateness Procedures*.

### **PERMIT TO ALTER**

Article 11 of the City Planning Code was adopted by the Board of Supervisors in 1985 and governs 430 downtown buildings. Note: Article 11 includes unrated buildings and buildings within Conservation Districts. Major alterations to rated buildings must be reviewed by the Landmarks Board as well as the Planning Department staff and the Planning Commission. The standards used for this review are found in Section 1111.6, Article 11 of the Planning Code. They are similar but not identical to the Secretary of the Interior’s *Standards*. In the case of major alterations to Article 11 buildings, the Landmarks Board makes a recommendation on the Permit to Alter to the Planning Commission where the final decision is made.

### **ENVIRONMENTAL EVALUATIONS**

An Environmental Review Application is used to request an initial study of any project pursuant to the requirements of the California Environmental Quality Act (CEQA). An initial study conducted by the Planning Department will determine whether a project may have a significant effect on the environment if a project sponsor is proposing the demolition or substantial alteration of a designated landmark, buildings located within historic districts, buildings identified in Article 11 of the Planning Code, or for buildings with other historical ratings or designations. A Cultural Resource Study may be required, along with other Planning Department applications.

With its specialized expertise in historic preservation, the Landmarks Board has a role in the review and comment of environmental documents -- especially when demolition, substantial alteration or new construction is proposed for designated cultural resources. Their review occurs at a regular meeting of the Landmarks Board and may include either oral and/or written comments on a draft environmental document. These comments are transmitted from the president of the Landmarks Board to the Planning Department’s

environmental review officer and may lead to amendments to a final environmental document.

## **SECTION 106 REVIEW**

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to take into account the effects of agency undertakings on properties included or determined eligible for the National Register of Historic Places and, prior to approval of the undertaking, to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. Typically, Section 106 consultation begins when the lead agency, through the Certified Local Government (CLG) program, contacts the local government to comment on the proposed undertaking. As a CLG, the City of San Francisco has the opportunity to comment on undertakings within its jurisdiction.

The Planning Department and the Landmarks Board has a role in defining the undertaking, developing an Area of Potential Effect (APE) for a project, assisting in the identification of historic properties, and assessing the effects of a project including a determination of conformity to the Secretary of the Interior's *Standards*. Other steps include resolving potential adverse effects. If the parties involved in a project determine that the adverse effects cannot be avoided, a Memorandum of Agreement (MOA) is prepared by the agencies for the project. The preparation of a MOA requires further consultation with the Landmarks Board, the State Historic Preservation Officer (SHPO) and the Advisory Council.

In addition to the Section 106 review, the Planning Department also reviews the undertaking to determine whether it conforms to the Planning Code. Section 106 reviews are usually done in conjunction with an environmental review, pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA), if required.

## **INFORMATIONAL PRESENTATIONS**

From time to time, the Landmarks Board sponsors informational presentations on preservation-related matters. Section 1001, Article 10 of the Planning Code states the purposes of the Landmarks Board and provides a variety of methods for the Landmarks Board to review and comment on historic preservation issues and topics. Informational presentations can be arranged either by contacting the Planning Department's Preservation Coordinator at (415) 558-6338 or by contacting the recording secretary to the Landmarks Board at (415) 558-6266.

## **LANDMARKS BOARD HEARINGS**

The Landmarks Board meets the first and third Wednesdays of every month at 12:30 p.m. in City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place. The Architectural Review Committee (ARC), a five-member committee of the Landmarks Board is available to provide guidance to project sponsors on proposed projects. The Committee generally meets before the regular Landmarks Board hearing. The format for public hearings generally is as follows: Public comment provides an opportunity for the public to bring matters of interest to the Landmarks Board's attention; Department staff presentation and recommendation; testimony by the project sponsor; testimony by the public; the closing of public comment (including the project sponsor); and discussion and decision by the Landmarks Board. If a number of individuals wish to address the Landmarks Board on a

specific matter, the president of the Landmarks Board may limit comments to three minutes for an individual, or six minutes for an organization.

### **PLANNING INFORMATION CENTER COUNTER (PIC)**

To determine whether a property is listed either as an individual landmark or is located within one of the City's eleven historic districts under Article 10, or is designated under Article 11, (which addresses the Downtown (C-3) buildings), or appears on any other city, state or federal inventory of cultural resources, call or visit the Planning Information Center counter (PIC) at 558-6377 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. If you have additional questions or anticipate submitting an application or permit for a cultural resource that is under the jurisdiction of the Planning Department, the Landmarks Board or the Planning Commission, please have the exact address and block/lot number ready when contacting the PIC.

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