



HISTORIC PRESERVATION COMMISSION

MOTION NO. 0443

HEARING DATE: AUGUST 4, 2021

IDENTIFICATION AND DELEGATION OF SCOPES OF WORK DETERMINED TO BE MINOR BY THE HISTORIC PRESERVATION COMMISSION PURSUANT TO SECTIONS 1006.2 AND 1111.1 OF THE PLANNING CODE FOR APPROVAL, MODIFICATION, OR DISAPPROVAL TO THE PLANNING DEPARTMENT.

WHEREAS, Planning Code Section [1006.2\(a\)](#) provides that the Historic Preservation Commission (“HPC”) may, for properties designated individually or within a landmark district under Article 10 of the Planning Code, (1) define certain categories of work as minor alterations (“Administrative Certificate of Appropriateness”); and (2) delegate the review and approval of such work to the Planning Department (“Department”), whose decision is appealable to the HPC pursuant to Section [1006.2\(b\)](#); and

WHEREAS, Planning Code Section [1111.1\(a\)](#) gives the HPC the authority to (1) determine if a proposed alteration (“Permit to Alter”) shall be considered a Major or a Minor Alteration; (2) approve, modify, or disapprove applications for permits to alter or demolish Significant or Contributory buildings or any building within a Conservation District; and, (3) delegate this function to the Planning Department (“Department”) for work determined to be Minor (hereinafter “Minor Permit to Alter”), whose decision is appealable to the HPC pursuant to Section [1111.1\(b\)](#); and

WHEREAS, Planning Code Sections [1005](#), [1110](#), and [1111.1](#) stipulate that a Certificate of Appropriateness or Permit to Alter is not required when the application is for a permit to complete several specific, narrow scopes of work included therein; and

WHEREAS the HPC, at its regular hearing of August 4, 2021, reviewed the Planning Department’s processes and applications under the authority previously granted to the Department by the HPC under Motion Nos. 0181, 0212, 0241, 0289, 0349, and 0376; and

WHEREAS, in appraising a proposal for an Administrative Certificate of Appropriateness or a Minor Permit to Alter, the Department, on behalf of the HPC, shall determine that all proposed alterations to character-defining features on properties subject to Articles 10 and/or 11 of the Planning Code shall be consistent with the character of the property and/or district, the Secretary of the Interior’s Standards for the Treatment of Historic Properties, as well as any Department guidelines, local interpretations, bulletins, or other policies, where applicable; and

SO, MOVED, that the Commission hereby ADOPTS the following list of scopes for delegation to the Department for approval, modification, or disapproval for two years from the date of this Motion. Specifically, the HPC adopts the following as minor scopes of work:

1. **Exploratory and Investigative Work.** *The removal of a limited amount of material to conduct investigation and determine the existence of underlying historic fabric, ghosting, and scarring. Limited, at the Department's discretion, to no more than 15% of the total surface area on a façade.*

The area must be stabilized and protected after the investigation is complete. Any adjacent historic surfaces must be protected during exploratory and investigative work, and scaled drawings showing the area to be removed shall be provided. Any exposed historic fabric must be protected, and any historic fabric that may be removed for the purposes of exploratory investigation shall be appropriately salvaged and stored.

2. **Restoration of Façade(s).** *Restoration of façades and/or façade features, including but not limited to porticos, porches, cornices, plaster work, window/door surrounds, wood cladding, roofline, and eaves.*

Work shall be based on historic documentation and/or physical evidence and, where applicable, follow the guidelines outlined in the Department's *How to Restore Your Façade* publication. Physical evidence can include shadow lines depicting the location of removed ornamentation, remnants of retained ornament or cladding materials, as well as examples from surrounding buildings of a similar age, architectural style, and with shared building features. Proposed work must be depicted in detailed elevation drawings.

3. **Façade Treatments.** *Where so regulated by the designating ordinance/appendix, the application of paint to previously or unpainted façades and/or façade features, as well as the cleaning of building exteriors with abrasives and/or treatment of such surfaces with waterproof materials.*

The painting of unpainted masonry, brickwork, and stonework is discouraged. Sandblasting and certain chemical treatments detrimental to masonry will not be approved. Most all Article 11 appendices regulate both the use and color of paint at the exterior, and certain Article 10 appendices do the same and/or regulate the cleaning of building surfaces.

4. **Cladding.** *The selective removal and/or replacement of cladding materials at any façade for the purposes of restoration or rehabilitation.*

Historic and/or character-defining cladding materials shall be replaced in-kind in terms of material, composition, dimensions, profile, texture, and finish.

- a. **Removal of non-historic cladding.** Non-historic cladding materials may be removed and replaced with a cladding determined compatible with the building and/or district by Department staff.
- b. **Removal and in-kind replacement of decorative elements.** Historic millwork, window framing, and other decorative elements associated with cladding may be approved for replacement and/or installation under this scope of work. Original or historic millwork or other decorative elements shall be replaced in-kind in terms of size, material, profile, and finish.

5. **Front Stairways and Railings.** *The replacement of stairs and railings with new stairways and/or railings deteriorated beyond repair based on physical or documented evidence and determined to be compatible in terms of location, configuration, materials, and details with the character-defining features of the property and/or district.*

All historic features, such as newel posts and railings, shall be retained where extant. New railings, if needed, shall match the historic rail system in design. This scope does not apply to the replacement of porticos, porches, or other architectural components of the entry.

6. **Doors, Windows, and Other Openings.** *The replacement of doors, including garage doors, and windows in existing openings (except as noted below in subsection [c] below) and modest expansions of existing openings.*

This scope does not apply to the replacement of stained, leaded, curved, or art glass windows or doors with these decorative glass features, or the replacement of glass curtain wall systems. Department staff may request a Conditions Assessment prepared by a qualified consultant in certain circumstances. In all cases, window and door replacements must be determined to be compatible with the character of the building and/or district by Department staff to qualify.

- a. **Within existing openings on primary and visible secondary facades.** Excepting subsection h. below, proposed replacements shall match the historic doors and windows in terms of opening size, door or window type or operation, material, and glazing, including muntin pattern. All exterior profiles, dimensions, detailing, and finishes shall also match.
- b. **Within existing openings in non- or minimally-visible locations on secondary facades.** This scope includes window replacement on non-visible rooftop penthouses and ancillary buildings under discretion of Department staff. Non-visible or minimally-visible window and door replacements may differ from historic windows and doors, extant or not, in terms of type, operation, material, and glazing, including muntin pattern.
- c. **Modest change(s) in door or window area in non- or minimally-visible locations on secondary facades.** Adding, expanding, or removing a modest amount of overall window area and/or existing openings as determined appropriate by Department staff.
- d. **Skylights on Article 10 properties.** Unless otherwise exempt from entitlements under Section [1005](#) of the Planning Code, the replacement of skylights within existing openings and installation of new skylights on buildings designated under Article 10 of the Planning Code. New skylights must be mounted low to the roof and minimized from view.
- e. **Skylights on Article 11 properties.** The replacement of skylights within existing openings and installation of new skylights on buildings designated under Article 11 of the Planning Code. New skylights must be mounted low to the roof and minimized from view.
- f. **Garage doors.** Replacement of garage doors and/or trim in existing openings with new doors that are compatible with the subject property in terms of material, finish, and muntin pattern. Modest modifications to existing garage door openings on primary facades may qualify under this scope

of work as determined appropriate by Department staff.

- g. **New openings for mechanical work.** New openings for mechanical work, including exhaust vents with louvers or grilles, that are modest in size and do not obscure or remove character-defining features may be approved under this scope. Where such an opening is proposed, it will be discreetly located and finished with materials that are compatible with the character-defining features of the landmark or district.
- h. **Existing openings for mechanical work.** Within existing openings regardless of visibility, the limited installation of mechanical work, including exhaust vents with louvers or grilles, that are modest in size and do not obscure or remove character-defining features may be approved under this scope.

7. **Storefronts.** *Replacement, restoration, or modification of historic and non-historic storefronts and/or storefront elements, including but not limited to framing, glazing, doors, bulkheads, cladding, entryways, and ornament, confined to the ground floor of the subject property and based on physical or documented evidence of the property and matching the materials, proportions, scale, configuration, profile, and finish of the historic storefront system.*

Where physical or documentary evidence of a historic storefront system is not available, Department staff may approve a proposed storefront system that is compatible with the character-defining features of the building and/or district.

- a. **Infill or enclosure of non-historic storefronts.** This scope may include enclosure and/or infill of a recessed non-historic storefront and/or entry vestibule with a flush or partially-recessed storefront compatible with the subject property as determined appropriate by Department staff.
8. **Awnings, Canopies, and Marquees.** *Unless otherwise exempt from entitlements under Planning Code Section [1005](#), new or altered awnings, canopies, and marquees that meet the Department's guidelines, policies, and interpretations and/or are found compatible with the character-defining features of the building and/or district in terms of material, location, number, size, method of attachment, method of replacement, and method of illumination.*
- a. **New awnings, canopies, and marquees.** Where a new awning, canopy, or marquee is proposed, it shall relate to the pedestrian scale of the street; shall be constructed of high-quality materials; shall be installed in location that avoids damaging or obscuring character-defining details; and shall be positioned to relate to the width of the ground-floor bays. The proposed installation shall use traditional shapes, forms, and materials, and shall not exceed the width of existing window or entryway openings. The number of required attachments shall be minimized and located in sacrificial areas, such as mortar joints, non-historic storefronts, undecorated wall surfaces, and window or entry returns.
 - b. **Retractable awnings.** A retractable awning otherwise meeting the requirements of Scope 7(a) shall be covered with canvas and have an angled form, with open sides and a free-hanging front valance.

- c. **Signs or lettering.** On canopies and marquees, any proposed signage or lettering shall be kept to a minimum size. On retractable or stationary awnings, lettering shall be minimized and limited to the free-hanging front valance. On flat, metal awnings or canopies, signs shall have integral, non-visible conduit and will not damage or obscure character-defining features
- d. **Abandoned supportive elements.** Any conduit, outlets, attachments, attachment structures, or other supportive elements associated which are abandoned from use shall be removed, and the building façade shall be repaired.

9. **Security Measures.** *Installation or replacement of exterior security measures, including but not limited to metal security doors, window grilles, security gates, lighting, or security cameras.*

Installation of the proposed security measures must meet all other requirements of the Planning Code and must be compatible with the character-defining features of the property and/or district in terms of proportion, scale, configuration, materials, details, and finish. Security measures shall be reversible and installed in a discreet location to minimize visibility during daytime and/or business operating hours. Retractable gates or security grilles and related housing shall be installed so that they are obscured from public view when open.

10. **Non- and Minimally-Visible Rooftop Features.** *Notwithstanding those features exempt from entitlements under Planning Code Sections [1005](#), [1110\(g\)](#), and [1111.1\(c\)](#), construction of rooftop features, including but not limited to elevator and stair penthouses, guardrails, pergolas, or windscreens, minimally visible from a public right of way, not physically attached to a character-defining building feature, and exempt from height limits pursuant to Planning Code Section [260\(b\)](#).*

The Department may request sightline studies, renderings, or other material to demonstrate visibility of proposed rooftop features.

11. **Wireless Telecommunication Services (WTS).** *New installations of permanent Macro or Micro WTS facilities which are located within a public right-of-way or located on private property and visible from a public right-of-way, and modifications to WTS facilities that are considered substantial changes pursuant to Section 6409 of the Spectrum Act of 2012 and 47 Code of Fed. Regs. Sec. 1.6100.*

12. **In-Kind Replacement and/or Repair of Character-Defining Roofing Material on Visible, Sloped Roofs.** *On visible, sloped roof forms, the in-kind replacement of historic and/or character-defining roofing materials, such as clay tile, slate tile, wood shingles, wood shakes, or other unique roof materials.*

- a. **Replacement of roof elements other than surface materials.** Removal and in-kind replacement of historic roofing materials other than visible surface materials, including but not limited to underlayment, structural members, chimneys, gutters, and scuppers, shall not alter the existing roof's form or character-defining features and shall be compatible with the character of the building and/or district.
- b. **Repair of character-defining roofing materials.** Historic and/or character-defining roofing surfaces and underlayment may be repaired by carefully removing the existing tiles or shingles, replacing the underlayment, reinstalling salvaged tiles or shingles, and replacing those tiles or shingles that

are deteriorated beyond repair in-kind. Any replacement tiles or shingles shall match the existing in shape, dimensions, color, and finish.

- c. **Full replacement of character-defining roofing materials.** When the existing character-defining roofing material is determined to be deteriorated beyond repair through a conditions assessment conducted by a qualified preservation consultant, the roofing materials may be fully replaced in-kind. If beyond repair, in-kind replacement of clay tiles, shingles, or other historic roofing shall match the existing in terms of material, shape, dimensions, color, profile, and finish.

- 13. **Rear Yard Decks and Stairways.** *The repair or replacement of decks, stairways and associated structural elements (such as firewalls) that are located at the rear of the subject property; are not visible from the public right-of-way; and are determined to be compatible in terms of location, configuration, materials, and details with the character-defining features of the property and/or district.*

All historic features, such as newel posts and railings, must be retained where extant. New railings, if needed, shall match the historic rail system in design. This does not apply to the replacement of porticos, porches, or other architectural components at the rear of the property.

- 14. **Enclosure of an Open Area under a Cantilevered Room, Room Built on Columns, or Room Built under Decks on a Non-Visible Façade.** *Construction of an “infill” addition exempt from public notice under Planning Code Section 311 and/or [Zoning Administrator Bulletin No. 4: Public Notification for Building Permits in Residential and Neighborhood Commercial Districts](#).*

Exterior finishes on the enclosure must be compatible with the character-defining features of the building and/or historic district.

- 15. **Construction and/or Modification of Landscape Features.** *The construction of new landscape features or modification to existing landscape features and related accessibility improvements when the work will not impact a property’s character-defining features as specified in the designating ordinance and, where applicable, is in conformance with Planning Code Section [136](#).*

Landscape features could include, but are not limited to: accessibility improvements (such as ramps, railings, and wheelchair lifts); walkways; retaining walls; fences; swimming pools; and ancillary structures within the rear yard that are not more than eight feet in height above grade and occupy no more than 100 square feet of land, regardless of visibility from the public right-of-way. Modifications to public walkways or pathway locations and widths should be made with minimal impact to significant landscape features.

- 16. **Removal of Non-Historic Features.** *The removal of any feature on any façade which is not character-defining and which has not gained historic significance in its own right over time, and associated repair or patching as necessary.*

Replacement of such non-historic features does not qualify under this scope of work.

- 17. **Solar Panel Support Structures.** *The installation of structures that support solar panels, regardless of visibility, provided that the installation would not require alterations to the building greater than normally required to install a solar energy system, such as an installation with minimum spacing from the roof surface*

and mounted parallel with the slope of the roof (if roof is slope greater than 1/12), not visible from adjacent street sightlines if on a flat roof, and set in from the perimeter walls of the building, including the building's primary façade.

Support structures shall have a powder-coated or painted finish that matches the color of the roof material.

- 18. Arts Installations.** *Installation or replacement of an art installation(s), including murals as specified below, provided that the installation meets all other requirements of the Planning Code; is compatible in terms of proportion, scale, and attachment mechanism(s) with the character-defining features of the property and/or district; and is installed in a reversible manner that avoids obscuring or damaging interior or exterior character-defining features of the building.*

Planning Department Preservation staff may require a site visit to review a mock-up of the proposed attachment mechanism(s).

- a. Murals.** Any proposed murals shall be located on secondary elevations; installed in manner that does not damage, destroy, or obscure character-defining features of the property and/or district; utilize breathable paint or similar easily reversible materials; not involve painting over character-defining features of the property and/or district; and not involve painting of previously unpainted masonry or stone surfaces.

- 19. Scopes of Work described in any Maintenance, Rehabilitation, or Restoration Plan reviewed or approved by the HPC.** *Scopes identified in a report or plan typically submitted as part of a Mills Act contract or change or intensification of use pursuant to any Planning Code preservation land use incentive which are not otherwise exempt from preservation entitlements pursuant to Planning Code Sections [1005](#), [1110\(g\)](#), and [1111.1\(c\)](#).*

The work must have been specifically outlined within the plan to qualify. Department staff may request additional information, including but not limited to detailed architectural plans or material samples, to supplement the plan or report prior to approval.

- a. Plans associated with an approved Mills Act contract.** Work described in a maintenance plan endorsed by the Historic Preservation Commission, approved by the Board of Supervisors, and determined to meet the Secretary of the Interior's Standards.
- b. Historic Building Maintenance and Rehabilitation Plans and/or Historic Structure Reports associated with Planning Code preservation incentives.** Pursuant to Planning Code Sections [186.3](#), [210.3B](#), [703.9](#), [803.9\(b\)](#), and [803.9\(c\)](#), work described in a plan or report that has been reviewed and endorsed by the Historic Preservation Commission through an associated motion or resolution. Such motion or resolution must indicate that the project and work outlined in an associated plan meet the Secretary of the Interior's Standards and would enhance the feasibility of preserving the subject property.

- 20. Infill of Garage Door Openings for New Dwelling Units.** *Infill of existing garage door openings (historic or not) for construction of new residential dwelling units in a converted garage.*

This scope of work does not apply to infill of garage door openings for the expansion of an existing dwelling unit.

- a. **Infill of character-defining garage openings.** Where a garage opening that is a character-defining feature to the building will be infilled, regardless if original to the building, it shall be retained and re-purposed for pedestrian use. The proposal shall incorporate a design based upon the significance of the character-defining feature that may include insertion of glazing, modification of garage door operation, or similar.
- b. **Infill of non-original non-character-defining garage openings.** Where a garage opening that is not original and non-character-defining to the building will be infilled, it shall be restored to match the surrounding material and configuration of the base of the building based on documentary or physical evidence of the building's original or historic appearance.
- c. **Infill of original non-character-defining garage openings.** Where a garage opening that is original to the building and non-character-defining will be infilled, it shall be clad in a manner that is consistent with the character of the building.
- d. **New window openings.** New windows shall have a simple design and details and be proportionally smaller than primary windows on upper floors. The proposed new windows shall match materials and configuration of historic windows (extant or not) on upper floors of the building as much as is feasible.
- e. **New door openings.** Where new door openings are necessary, they shall be located on secondary elevations or incorporated into existing front stair structure, if feasible. If such locations are not feasible, then the new door opening(s) shall be incorporated into existing openings (pedestrian or vehicular) and shall be restricted to the minimum number and size required by Code. Recesses shall be minimized to the depth required by the Planning and Building Codes and have a simple design that is residential in character. The front yard area shall be restored with soft and hardscaping that is compatible with the character of the building and/or district. Any relocated gas/utility cabinets shall be located and treated so as to be as minimally visible as possible.

21. Local Program Accessory Dwelling Units (ADUs) in Landmark and in Historic and Conservation Districts.

The following architectural review standards apply to the construction of ADUs that are subject to approval under the City's local Accessory Dwelling Unit Program, which is set forth in Planning Code Section 207(c)(4):

- a. **Existing single- or multi-family homes.** When an ADU is proposed at an existing single- or multi-family home, either within the building envelope or as an addition:
 - i. Character-defining features, as described and depicted in the corresponding designating ordinance and/or supporting case report for the individual Landmark or district, will be preserved or replaced in-kind to match the historic feature(s) in material, design, color, and texture.

- ii. New cladding will match surrounding existing historic materials located at the base of the building in terms of material, profiles, and dimensions.
 - iii. All new windows, doors, and openings will match the size, shape, material, and profile of existing historic windows, doors, and openings on the subject building. Only the minimum size and number of doors and/or windows required to meet applicable life safety codes may be approved under this scope.
 - iv. Additions to accommodate ADUs will not be visible from surrounding public rights-of-way and will be limited to sixteen feet above grade in height, or the applicable parameters regulated pursuant to Planning Code Section [207\(c\)\(6\)](#).
- b. **New construction of a detached structure on a property with an existing or proposed residence.** When an ADU is proposed within a newly constructed, detached structure on a property containing an existing or proposed single- or multi-family home:
 - i. The detached ADU structure will be located wholly behind the single- or multi-family home, or otherwise placed in accordance with the applicable parameters regulated pursuant to Section [207\(c\)\(6\)](#).
 - ii. The detached ADU structure will be limited to sixteen feet above grade in height, or otherwise in accordance with the applicable parameters regulated pursuant to Section [207\(c\)\(6\)](#).
 - iii. The detached ADU structure will have a flat roof or a roof form that matches, as closely as feasible, the roof form of the subject property's single- or multi-family home.
 - iv. Cladding, windows, and doors proposed for the detached ADU structure will match the character-defining features of the subject property's single- or multi-family home in terms of material, shape, and profile.
- c. **New construction.** When an ADU is proposed to be incorporated into the new construction of a single- or multi-family home:
 - i. The ADU's cladding will match that of the surrounding structure.
 - ii. Window and door openings for the ADU will not exceed the minimum requirements to meet the provisions of the Planning Code and Building Code, unless regulated pursuant to Section [207\(c\)\(6\)](#).
 - iii. The material, shape, and profile of windows and doors for the ADU will match those of the subject single-family home, unless regulated pursuant to Section [207\(c\)\(6\)](#).

I hereby certify that the Historic Preservation Commission **ADOPTED** the foregoing Motion on August 4, 2021.



Jonas P. Ionin
Commission Secretary

AYES: Wright, Nageswaran, Black, Foley, Johns, So, Matsuda

NAYS: None

ABSENT: None

ADOPTED: August 4, 2021