

## **SPEAK UP FOR HISTORIC PRESERVATION IN SAN FRANCISCO**

Help ensure that places of historic value are preserved for generations of San Franciscans!

**Mark your calendar to speak at the upcoming hearing:**

**PLANNING COMMISSION**

***Thursday, February 2, 2012***

**City Hall, Room 400**

**Time and Agenda Item TBD**

In 2008, the voters of SF passed Prop J, which would update the Planning Code and bring it in line with best practices nationwide. After months of a collaborative process to update Articles 10 and 11 of the code, there are amendments on the table that will create undue burdens to historic preservation and move us away from best practices. On February 2, the Planning Commission will vote on its recommendation to the Board of Supervisors.

**Email the Planning Commission:** If you are unable to attend the hearing, **please** email the Commissioners (**with a copy to Desiree Smith at [dsmith@sfheritage.org](mailto:dsmith@sfheritage.org)**):

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## **KEY POINTS**

### **SUPPORT THE HISTORIC PRESERVATION COMMISSION VERSION OF ARTICLES 10 AND 11:**

- Over three years after the voters of San Francisco passed Proposition J, the HPC is recommending comprehensive and balanced revisions to Articles 10 and 11 to implement its mandate.
- The HPC's revisions are the culmination of an exhaustive, collaborative process spanning two years and over twenty hearings.

### **OPPOSE SUPERVISOR WIENER'S AMENDMENTS THAT WOULD IMPOSE UNIQUE PROCEDURAL HURDLES ON THE DESIGNATION OF HISTORIC DISTRICTS:**

- **What's being proposed:** For nominations submitted by property owners, Supervisor Wiener would require 66% owner support before the historic district nomination can be initiated by the HPC (§1004.1). For **any** proposed historic district, the Planning Department would be required to "invite all property owners...to express their opinion in writing" and to provide information to owners on "the practical consequences of the adoption of the district" before the Board of Supervisors can vote (§1004.3).

- **Burdensome remedy to hypothetical problem:** The proposed amendments impose a high bar for future historic district nominations that is unnecessary. Only 11 local historic districts have been created in San Francisco in 45 years, and none have been adopted since the Dogpatch Historic District in 2003. Under the HPC version of Articles 10 and 11, the Board of Supervisors retains full discretion to adopt or reject any proposed historic district nomination.
- **The amendments single out historic preservation for disparate treatment:** No other zoning changes in San Francisco are subject to owner consent or voting requirements. Historic districts should be treated the same as other neighborhood planning initiatives and subject to the same public outreach requirements as other proposed zoning changes.
- **Owner consent requirement is contrary to the intent of Proposition J:** The intent of Proposition J was to update Articles 10 and 11 to reflect best practices nationwide; the 66% owner consent threshold is a relic of the original ordinance adopted in 1967 and is out of step with widely-recognized preservation practice today.
- **A step into the past:** According to State Historic Preservation Officer Milford Wayne Donaldson: “Requiring 66% owner consent to designate a historic district is another step into the past... Many communities do not have owner consent at all, the rationale being that historic preservation is a zoning issue, and where else in the zoning code do property owners have the opportunity to opt out.”
- **No vote for renters:** In a city where the majority of residents do not own their homes, the proposed owner consent and owner voting requirements would disenfranchise all those who rent from having a say on proposed historic districts.
- **Procedural confusion:** The proposed amendments raise other policy and procedural issues regarding how the vote would be conducted, where the funding would come from, how the Planning Department would treat non-responses, and the legitimacy of community-sponsored petitions.

**OPPOSE SUPERVISOR WIENER’S PROPOSAL TO EXEMPT RESIDENTIAL PROJECTS “FOR HOUSEHOLDS OF 150% OR LESS THAN MEDIAN INCOME” FROM HISTORIC REVIEW REQUIREMENTS BASED ON “ECONOMIC HARDSHIP”:**

- Supervisor Wiener’s proposal potentially exempts market rate residential projects from obtaining a Certificate of Appropriateness based on suspect claims of “economic hardship.”
- Unlike economic hardship provisions in other cities that target low-income owners, Supervisor Wiener’s proposal would primarily benefit projects that significantly exceed the City’s existing definition of “moderate income” units (120% of median income).

*Want to get involved? Need more information? Email Desiree Smith at [dsmith@sfheritage.org](mailto:dsmith@sfheritage.org).*