RESOLUTION NO. 75-2005

Adopted May 3, 2005

ADOPTING AN AGENCY HISTORIC PRESERVATION POLICY

BASIS FOR RESOLUTION

1. On February 4, 2005, a civil action, San Franciscans Upholding the Downtown Plan, et al. v. City and County of San Francisco, et al., Case Number 504958 (the "Petition"), was filed in San Francisco Superior Court challenging certain actions taken by the City and County of San Francisco (the "City") and the Redevelopment Agency of the City and County of San Francisco (the "Agency") in allowing the demolition of the Office Tower of the Emporium Department Store Building in the Yerba Buena Center Redevelopment Project Area.

2. The Commission has approved a Settlement Agreement and Release of Claims with the Petitioners in the above-referenced litigation pursuant to Resolution No. 74-2005. The Settlement Agreement requires, among other things, that the Agency adopt an Historic Preservation Policy.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Historic Preservation Policy attached as Exhibit A is hereby adopted.

APPROVED AS TO FORM:

[Signature]
James B. Morales
Agency General Counsel
1. Findings.

The Agency finds that, in future redevelopment project areas, the public interest would be served by the identification of buildings that have a special historical or cultural value. The Agency finds that this identification will lead to the appropriate consideration of measures to protect and preserve these buildings, which contribute substantially to San Francisco's urban environment. Historic buildings provide a richness of character, texture and human scale that is unlikely to be repeated often in new development. They help characterize many neighborhoods of the City, and establish landmarks and focal points that contribute to the City pattern.

2. Effective Date and Applicability.

This Policy becomes effective on the date of the Agency approval, but, with the exception of Section 5, this Policy applies only to redevelopment activities and projects in future survey and project areas that the Board of Supervisors may adopt after the effective date.

3. Historical Surveys in Proposed Redevelopment Areas and Use of Survey Information.

3.1. Request for Survey Funding. As part of an overall budget for the study of a proposed redevelopment project area (i.e. a survey area), the Agency shall seek funding from the Board of Supervisors to conduct a building-by-building survey of each parcel in the area. If funded, this survey will include, among other things, an architectural description and analysis together with historical documentation of each building, structure, or object and will also note whether it has been designated in any existing City survey or other official listing.

3.2. Methodology for Survey. The Agency shall instruct the consultants or staff responsible for conducting the survey described in this Section to consult in advance with the City Planning Department and Landmarks Preservation Advisory Board to ensure that the methodology, evaluation system, use of technical advisors and peer reviewer, and descriptions of buildings' historical and/or architectural significance are consistent with the survey instruments, methodology, and formats used by the City Planning Department and Landmarks Preservation Advisory Board.

3.3. Public Access to Survey Information. The Agency shall file, in a manner conducive to public access, the above-described surveys, other surveys
3.3. **Public Access to Survey Information.** The Agency shall file, in a manner conducive to public access, the above-described surveys, other surveys that may exist for redevelopment plans proposed for the Transbay, Mid-Market, and Bayview Hunters Point Redevelopment areas, and any related written information with the Central Records Division of the Agency. The Agency shall organize, maintain, and, to the extent feasible, cross-index the surveys. The Agency shall also provide the surveys to the following City Departments and organizations and shall request that they provide the public with access to the information: the Office of Environmental review of the San Francisco Planning Department, the San Francisco History Room at the San Francisco Main Library, the California Office of Historic Preservation, the San Francisco Landmarks Preservation Advisory Board, and San Francisco Architectural Heritage. Surveys and related information that are available in electronic format shall be made available in that format as well.

3.4. **Use of Survey Information.** The survey and review described in Section 3.1. shall inform and guide the preparation of a redevelopment plan and of the environmental impact report for that plan. The survey results shall be included in the draft and final environmental impact reports for the proposed redevelopment project area.

3.5. **Relationship of Survey to EIR.** When the Agency prepares a survey described in Section 3.1., the Agency shall include the survey as appendices to the certified final environmental impact report rather than simply make a reference to the survey in the EIR.

4. **Conformity with the Planning Department’s Policies and Procedures.**

4.1. **Applicability of Planning Code to Redevelopment Plans.** In light of the benefits of coordinating planning for projects affecting historic resources within the City of San Francisco, the Agency intends as a general practice to propose redevelopment plans to the Board of Supervisors that primarily rely on the Planning Code, including Articles 10 and 11, and that rely on the Department of City Planning, pursuant to a delegation agreement, to administer the Planning Code, including Articles 10 and 11, in the project area. In the event that the Agency does not recommend the use of the Planning Code and Articles 10 and 11 in a proposed redevelopment plan, it shall make specific findings, at a public hearing, explaining the basis for its recommendation.

4.2. **Standard formats.** Agency staff and consultants shall coordinate with the Department of City Planning to develop standard formats for environmental documents that conform with Chapter 31 of the Administrative Code and with the requirements of the San Francisco Landmarks Preservation Advisory Board. The Agency shall ensure that project staff is familiar with these standardized document formats and procedures.
4.3. **Mitigation Measures.** For projects affecting historic and cultural resources, the Agency shall apply, in future redevelopment project areas subject to the Planning Code, mitigation measures and conditions of approval that are consistent with those used by the Planning Department and Landmarks Preservation Advisory Board. For example, the Agency acknowledges that the Landmarks Preservation Advisory Board has adopted the Secretary of the Interior’s Standards and Guidelines, and the Agency shall apply them to the same extent as the Department does.

5. **Mitigation Measures in Projects.** The Agency shall require project sponsors to fund Agency staff or consultants to monitor project construction if the project is subject to mitigation monitoring related to impacts on historic or cultural resources and if the Agency has a proprietary interest in the project (i.e. projects subject to a disposition and development agreement, loan agreement, or owner participation agreement providing for tax increment financing). If the Agency does not have such an interest, it shall attempt to negotiate with project sponsors to provide funding for this purpose. With such funding, Agency staff shall monitor a project’s construction in consultation with qualified historic resource consultants retained by the Agency and shall publicly report in writing (and in person as requested) to the Agency Commission, to the San Francisco Landmarks Preservation Advisory Board, and, when appropriate, to the Planning Commission and the Building Inspection Commission.