

# SAN FRANCISCO

## HISTORIC PRESERVATION COMMISSION

City and County of San Francisco, California

### RULES AND REGULATIONS

#### ARTICLE I - NAME

Section 1 The Name of this Commission shall be "HISTORIC PRESERVATION COMMISSION."

#### ARTICLE II - OFFICERS AND TERMS OF OFFICE

Section 1 Officers. The Officers of this Commission shall be a President and A Vice President. The President and Vice President shall be members of the Historic Preservation Commission, and shall be elected at the first Regular Meeting of the Historic Preservation Commission held after the first day of January each year; or at a subsequent Meeting, the date of which is fixed by the Historic Preservation Commission at the first Regular Meeting after the First day of January each year. They shall hold offices for one year and until their successors are elected. If a President and/or Vice President have not been elected and the prior President and/or Vice President are not available to serve until a successor is elected, the Commission may elect an Interim President and/or Interim Vice President to serve or its members may rotate alphabetically as Chair of each meeting until a President and/or Vice President are so elected.

Section 2 Administrative Secretary. The Commission at any Regular or Special Meeting may appoint an Administrative Secretary who shall hold office at the pleasure of the Historic Preservation Commission.

#### ARTICLE III - DUTIES OF OFFICERS

Section 1 President. The President shall preside at all meetings of the Historic Preservation Commission. The President shall approve the hearing agendas. The President shall appoint all Committees and shall perform all other duties necessary or incidental to the office. Committees shall contain up to three members of the Historic Preservation Commission.

Section 2 Vice President. In the absence of the President, or his/her inability to act, the Vice President shall assume the duties of the office of President. In the event of the absence or inability to act of both the President and Vice President, the remaining members of the Historic Preservation Commission shall appoint one of the members to act temporarily as President.

Section 3 Secretary. The duties of the Administrative Secretary will include maintaining records of the Historic Preservation Commission meetings, hearings, and official actions, and certifying all official Historic Preservation Commission documents, motions and resolutions.

#### **ARTICLE IV - COMMITTEES**

Section 1 Architectural Review Committee. (a) The Architectural Review Committee shall consist of three members of the Historic Preservation Commission. The President shall appoint the members. Members shall serve at the pleasure of the President. The purpose of the Architectural Review Committee is to provide early direction and advice to applicants and to provide advice on design and building materials and construction techniques to the full Historic Preservation Commission. (b) Case Scheduling. Items may be scheduled before the Architectural Review Committee upon the request of any applicant for a Certificate of Appropriateness, upon decision by the President of the Commission, or upon the request of the Director.

#### **ARTICLE V - MEETINGS**

Section 1 Regular Meetings. Regular meetings of the Historic Preservation Commission shall be open to the public and shall be held on the first and third Wednesday of each month at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400. All Regular Meetings shall start at 12:30 p.m. unless otherwise noticed on the meeting agenda at least 72 hours in advance of the hearing. All Committee meetings shall precede the Regular Meeting and shall be duly noticed in accordance with the notice procedures of Section 3 below. Committee meetings that do not precede the regular meeting shall be considered Special Meetings and shall be duly noticed in accordance with the notice procedures of Section 3 below.

Section 2 Special Meetings. Special Meetings of the Historic Preservation Commission shall be open to the public and shall be held at such times and places as the Historic Preservation Commission may determine, or may be called by the President for any time or place, and must be called by him or her upon the written request of three members of the Historic Preservation Commission.

Section 3 Notice. Written notice of the time and place of every Regular and Special Meeting of the Commission shall be given to members of the Historic Preservation Commission at least twenty-four hours before the time of such Meeting, and shall be given by posting and otherwise, as required by law. No matter may be considered at any Special Meeting unless included in the Notice calling such Meeting.

Section 4 Cancellation or Change of Regular Meetings. If the Regular Meeting day falls on a legal holiday, or if a recommendation is made by the Director that a Regular Meeting be cancelled or changed, the Historic Preservation Commission or the President may cancel the Regular Meeting or fix another time thereof. Written notice of cancellation or of a change in a Regular Meeting time must be given at least seventy-two hours before the scheduled time of such Meeting.

Section 5 Quorum. Quorum for the transaction of official business shall consist of a majority of all voting members of the Historic Preservation Commission, but a smaller number may

adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties, if any, provided by law.

Section 6      Attendance at meetings. Historic Preservation Commission members are required to attend all Regular Meetings. If individual Historic Preservation Commission members miss three consecutive uncommunicated meetings, the President shall be authorized to notify the Mayor about the individual's attendance.

Section 7      Voting.

a.      Approval of any matter shall be by majority vote of the members of the Historic Preservation Commission. A tie vote on any matter before the Historic Preservation Commission shall be deemed to be disapproval thereof.

1.      *Procedural Matters.* Pursuant to Charter Section 4.104, with respect to matters of procedure the Commission may act by the affirmative vote of a majority of the members present, so long as the members present constitute a quorum.

b.      Except as provided in "a.1" above, every Official Act taken by the Commission, including, but not limited to, those based on its jurisdiction derived from the Charter, the Planning Code, or the Administrative Code, may be by "Motion" or Resolution adopted by a majority vote of all members of the Commission (four (4) votes). All members present shall vote for or against each question brought to a vote unless a member is excused from voting by a conflict of interest or a motion adopted by a majority of the members present.

A motion that receives less than four votes is a failed motion resulting in disapproval of the action requested to be taken by the Commission unless a substitute motion for a continuance or other action is adopted. (For example: a request for Certificate of Appropriateness (C of A) requires four votes to approve; failure to receive the four votes results in denial of the C of A.)

c.      A Motion of Intent occurs when the Commission passes a motion by a majority of all members of the Commission that is contrary to the preliminary recommendation of the Planning Department staff and does not have findings that support the intended action. Any Commissioner absent from participation in the action of intent must be provided all relevant case material and hearing tapes for review prior to a scheduled hearing for consideration of the final motion.

Section 8      Order of Business. The Order of Business shall be per the agenda set by the President, although the President shall retain the discretion to make reasonable alterations to the Order of Business during the meeting. Said agenda shall be distributed to Historic Preservation Commission members and the public by the Secretary in a timely manner, and in no instance with less than 48 hours notice.

Section 9      Parliamentary Procedure. The rules of parliamentary practice, as set forth in Robert's Rules of Order, shall govern all Meetings of the Historic Preservation Commission except as otherwise herein provided.

- Section 10     General Public Comment. The agenda for each Regular Meeting shall provide an opportunity for members of the public to address the Historic Preservation Commission on items of interest to the public that are within the subject matter jurisdiction of the Historic Preservation Commission, but that are not on the posted agenda for that Meeting. When this item is reached, members of the public may address the Historic Preservation Commission for up to three (3) minutes. The President may limit the total testimony by all members of the public on such item to fifteen (15) minutes.
- Section 11     Consent Calendar: Items may be placed on a Consent Calendar section of the agenda. Items on the Consent Calendar may be approved by a single vote for all items. Any Commissioner, any member of the public, or the Director may request that an item on the Consent Calendar be placed on the regular agenda for that Historic Preservation Commission Hearing or a later hearing.
- Section 12     Submittals: Procedure for submission of material related to any matter that comes before the Commission for its consideration is addressed in Appendix A attached to this document.
- Section 13     Hearings. At either a Regular or Special Meeting, a public hearing may be held on any matter that is on the posted agenda of such Meeting. The procedure for such public hearings is addressed in Appendix A attached to this document.
- Section 14     Record. A record shall be kept of each Regular and Special Meeting by the Administrative Secretary.

## **ARTICLE VI - AMENDMENTS**

These Rules and Regulations may be amended by the Historic Preservation Commission at any meeting provided that notice referring to a consideration of rules and regulations amendments is provided by listing on the published calendar.

Adopted:                     December 4, 2009

Amended:                    August 17, 2011

Attachment:                Appendix A

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**APPENDIX A**  
**of**  
**San Francisco Historic Preservation Commissions' Rules & Regulations**

**Submittals and Hearing Procedures:**

- I. Submittals:
  - a. Staff packet due to Commission one week in advance of hearing.
  
- II. Content of submittals should be as follows:
  - a. Clear plans and elevations (all plans should include a "north" directional arrow)
  - b. Physical context, adjacency, back and facing properties across the right-of-way to illustrate the historic context of the project (which should include color streetscape on both sides of street)
  - c. Environmental and historic resource documents to be attached to all submittals
  
- III. Hearing Procedures:
  - a. A thorough description of the issue by the Director or a member of the staff
  - b. A presentation of the proposal by the project sponsor(s) team (includes sponsor (or their designee), lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes.
  - c. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes with a minimum of three (3) speakers. Organized opposition will be recognized only upon written application to the President (through the Commission Secretary) prior to the hearing. Such application should identify the organization(s) and speaker(s).
  - d. **Public testimony from proponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
  - e. **Public testimony from opponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
  - f. Director's preliminary recommendation must be prepared in writing.
  - g. Action by the Commission on the matter before it.
  - h. In public hearings on Draft Environmental Impact Reports, all individual speakers will be limited to a period not to exceed three (3) minutes.
  - i. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
  
- IV. Other:
  - a. Revisions should be submitted to staff by 5pm Monday (two days) before the Wednesday Hearing.
  - b. Revisions submitted at hearing are discouraged and will only be considered at Commission discretion

Adopted: August 17, 2011