

September 26, 2025

Commission Streamlining Task Force  
City and County of San Francisco  
VIA: CommissionStreamlining@sfgov.org

RE: Historic Preservation Commission

As a former member of the Landmarks Preservation Advisory Board, Board of Appeals, and Planning Commission, I support retaining the Historic Preservation Commission.

Evaluation Criteria 1B

The City of San Francisco is a Certified Local Government, a program authorized by the National Historic Preservation Act and implemented by the State of California, Office of Historic Preservation (OHP). Although not strictly a “function required by state or federal law,” being a CLG brings benefits to the City. It is eligible to receive grants and, more importantly, comment on nominations of properties to the National Register of Historic Places that are submitted to OHP, which are referred to the City. Additionally, the CLG can participate in the environmental review of specific federally sponsored projects, such as Section 106 of the National Historic Preservation Act, as well as local projects in accordance with the requirements under the California Environmental Quality Act (CEQA).

Evaluation Criteria 1C and 4B

Another body or City staff cannot meet the legal requirements of the CLG Program (See attachment: Requirements).

Evaluation Criteria 5A

Assuming the focus refers to a “narrow topic,” the Task Force should consider that all of San Francisco has older buildings that are potential historic resources and could be subject to CEQA regulations. These should benefit from the expertise of the HPC, rather than an existing body like the Planning Commission.

Evaluation Criteria 5B

Another City body or department cannot adequately fulfill the role and responsibilities of the HPC.

The HPC is the result of grassroots efforts that put Proposition J on the ballot. It was approved by an overwhelming number of voters, who saw the benefit of having a streamlined process for addressing the City’s historic resources, commenting on Mills Act applications, and reviewing projects under Article 11 of the Planning Code—a landmark piece of legislation that covers much of downtown. Proposition J put San Francisco on par with other cities that have pioneered historic preservation, including Charleston, New Orleans, New York City, and...Los Angeles.

Sincerely,  
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Attachment: Certified Local Government Requirements

## Requirements

(Excerpt from Appendix G, Certified Local Government Application and Procedures, August 1999, pp 41-47.)

Local governments may be certified to participate in the CLG program by complying with the following requirements:

- I Enforce appropriate state or local legislation for the designation and protection of historic properties:
  - A. State enabling legislation provides for local jurisdictions to enact appropriate historic preservation legislation. California Government Code Sections 65850, 25373, and 37361 enable city and county legislative bodies to provide for “the protection, enhancement; perpetuation, or use of places, sites, buildings, structures, works of art, and other objects having a special character or special historical or aesthetic interest or value.”
  - B. Local governments must adopt local historic preservation ordinances with provisions to enforce the designation and protection of historic and archeological resources.
  - C. The local legislation shall be consistent with the intent and purpose of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470).
  - D. The CLG will adopt a historic preservation plan or a historic preservation element for the local jurisdiction's General Plan, as authorized by the California Government Code, prior to or upon applying for a CLG grant.
  - E. The CLG commission will participate in the environmental review of specific federally sponsored projects, such as community development programs involving HUD Block Grant funds unless it is determined by OHP that the necessary expertise is not available to the local government. The CLG will establish programmatic agreements with the state agreeing to ensure compliance with Section 106 provisions of the NHPA.
  - F. The CLG commission will participate in the environment review of local projects in accordance with the requirements under the California Environmental Quality Act (CEQA). The commission may review and comment on permit actions affecting significant listed historic properties and other resources eligible for listing, in accordance with local ordinance requirements and with CEQA. Procedural guidelines should include standards for demolition stays, design review criteria, anti-neglect requirements, and appeal strategies.
- II Establish an adequate and qualified historic preservation review commission by local law:
  - A. The commission shall include a minimum membership of five (5) individuals with all members having demonstrated interest, competence, or knowledge in historic preservation.
  - B. At least two (2) Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural

- history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation.
- C. A local government may be certified without the minimum number or types of disciplines established in state procedures if it can be demonstrated to the satisfaction of the state that it has made a reasonable effort to fill those positions, or that some alternative composition of the commission best meets the needs of the protection of historic properties in the local community.
  - D. Commission members shall be appointed by the chief elected local official, city council, or board of supervisors consistent with the provisions of the preservation ordinance. The appointing authority shall make interim appointments to fill unexpired terms in the event of vacancies occurring during the term of members of the commission. The appointing authority shall also act within sixty (60) days to fill a vacancy. Terms of office of the commission members shall be according to the local preservation ordinance.
  - E. The commission shall meet at least four times a year, with meetings held in a public place, advertised in advance, and open to the public, pursuant to the Ralph M. Brown Act (G.C. Section 54950 et seq.) for open meetings. Written minutes of commission meetings shall be kept on file, available for public inspection, and submitted to the state as a part of the CLG Annual Report.
  - F. Each commission member is required to attend at least one informational or educational meeting, seminar, workshop, or conference per year that pertains directly to the work and functions of the commission and would be approvable by the state. The CLG Regional Workshops sponsored by the OHP are important sources of information. The annual State Historic Preservation Conference generally provides special sessions devoted to the issues, objectives, and responsibilities of commissions. Commissions may also bring in professionals to provide training on site.
  - G. An annual report of the activities of the commission shall be submitted to the state at the end of each calendar year. The reports shall include, but not be limited to, such information as narrative summary of accomplishments, summaries of new and corrected survey activities, number of properties designated under local ordinance in relation to inventory for community, summaries of National Register applications reviewed, summaries of historical contexts prepared, number of federal tax certifications reviewed, number of properties on which design review was held, number of properties on which environmental project reviews were conducted, property owners of Mills Act contracts approved, summarization of local preservation activities, list of local landmark designations, description of public education activities, lists of commission members and resumes, list of staff and resumes, detailed listing of commission and staff training received, commission attendance

records, summary of changes in preservation laws, summary of adoption or updates of historic preservation plan or historic preservation element of your community's General Plan, commission meeting minutes and agendas, and other pertinent activities performed by the commission.

III Maintain a system for the survey and inventory of historic properties:

The CLG shall be responsible for organizing, developing, and administering an inventory of cultural resources within the entire spatial jurisdiction of the CLG.

A. The commission shall develop procedures for conducting an inventory of culture resources. Survey activities shall be coordinated with and complementary to the state program to ensure that survey results produced by the CLG will be readily integrated into the statewide comprehensive historic preservation planning process.

1. The CLG shall be responsible for overseeing the compiling, recording, and updating of inventory information on cultural resources within its jurisdiction. The information shall be based on comprehensive surveys conducted in conformance with state survey standards and procedures. Surveys completed prior to the certification of a local government may be re-evaluated in accordance with state standards and may be submitted for inclusion in the State database.
2. As part of any ongoing survey effort, procedural requirements must allow for periodic update of survey results as buildings gain maturity and as new areas are incorporated or annexed by the CLG.
3. The commission must adopt state guidelines for conducting its inventory of historic properties. State-approved inventory forms (DPR-523, A-L) and the OHP's Instructions For Recording Historical Resources shall be used to facilitate integration into the state electronic data system and for statewide comprehensive historic preservation planning purposes. Dimitri software is available for the DPR 523 forms.
4. Standards for the evaluation of properties must be consistent with the National Register of Historic Places criteria.

A. The commission shall establish internal procedures to facilitate the use of survey results in the planning process by the CLG officials and departments. The commission shall submit survey results to the local government for adoption, then forward to OHP. Copies of the survey should be on deposit at the local planning department, building and safety office, public works department, and redevelopment agency. Libraries, colleges, and historical societies should also receive copies. OHP will make copies available for the appropriate "California Historical Resources Information System" regional center. See IV(A)(2) below for public access requirements.

IV Provide for adequate public participation in the local historic preservation program:

A The CLG shall provide opportunities for public participation in all responsibilities delegated to the CLG, in accordance with appropriate regulations, standards, and guidelines.

1. Public participation shall be fully encouraged at local commission meetings. Commission meetings shall be open to the public, with published agenda and minutes in accordance with the Ralph M. Brown Act (G.C. Section 54950 et seq.) for open meetings. The published agenda shall be mailed in advance of meetings to individuals and citizen organizations interested in the commission's activities.
  2. Public participation shall be fully encouraged in the performance of the historic survey program at all levels of responsibility to identify and inventory significant cultural resources in the jurisdiction of the CLG. The public can serve as volunteers to assist in the survey effort. Survey results shall be of public record and on file at a public institution, except in the case of sensitive resources, e.g., archeological sites subject to vandalism.
  3. Public participation shall be fully encouraged in the nomination process for the National Register of Historic Places program. The CLG shall invite comments from the general public regarding National Register nominations.
  4. Public participation shall be fully encouraged in all public hearings on projects related to CEQA and Section 106 processes.
- V Satisfactorily perform the responsibilities delegated to the CLG:
- A. The CLG shall prepare a comprehensive local historic preservation plan which would identify preservation missions, goals, and priorities. The plan would also establish preservation strategies, programs, and time schedules.
  - B. The CLG will participate in the review and comment on historic preservation certification applications for tax incentives. The CLG and state may establish procedures for implementation of the investment tax credit program at the local level in conformance with the Secretary of the Interior's Standards for Historic Preservation.
  - C. Each CLG must have a local historic preservation plan prior to or upon becoming a CLG before any additional grant applications will be considered. The state shall monitor and evaluate the performance of the CLG for consistency with the identification, evaluation, and preservation priorities of the comprehensive state historic preservation planning process.
    1. Annual Review of CLGs:  
The State shall conduct an annual review of CLGs to assure that each government continues to meet the minimal requirements and is satisfactorily performing its responsibilities. As part of this review, the state shall examine the annual reports submitted by the CLGs, records of the administration of funds allocated from the HPF, and other documents as necessary. The CLG shall make these records available to the state. A more thorough review and site visit to the Certified Local Government will occur at least once every three (3) years.
    2. Procedures for Decertification:  
If the state evaluation indicates that the CLG no longer meets the minimal requirements or that in any other way a CLG's performance is not

satisfactory, the state shall document that assessment and recommend to the local government steps to bring its performance up to a satisfactory level. The CLG shall have a period of not less than 30 nor more than 180 days to implement improvements; If the state determines that sufficient improvement has not occurred, the state shall decertify the local government, citing specific reasons for the decertification. Performance shall be deemed unsatisfactory if one or more of the following conditions exist or is applicable: a) the commission fails to perform its delegated responsibilities within established time periods; b) the CLG fails to coordinate its responsibilities with the state; c) the commission substantially fails to maintain consistency of its design review decisions with the Secretary's Standards for Historic Preservation; d) the CLG fails to maintain a qualified historic preservation review commission membership; e) the CLG fails to enforce the provisions of the local preservation ordinance; f) the CLG fails to enforce its CEQA and Section 106 responsibilities; g) the CLG fails to adequately survey historical resources in its jurisdiction; and h) the CLG fails to comply adequately with proper fiscal management of HPF grants in accordance with the National Register Programs Guideline, OMB Circular A-128, and 43 CFR 12.

3. Decertification Appeal:

If the state recommends decertification, the local government may appeal to the NPS. The NPS has 45 days to respond to the appeal.

4. Decertification Without Prejudice:

CLGs may petition the OHP to be decertified voluntarily and without prejudice.

5. Financial Assistance Close-out:

The state shall conduct financial assistance close-out procedures pursuant to the National Register Program Guideline when a local government is decertified.

VI The CLG shall assume certain responsibilities for reviewing and recommending properties within its jurisdiction to the National Register of Historic Places.

A. The SHPO shall have the sole responsibility of nominating National Register properties directly to the Secretary of the Interior (Secretary).

B. The CLG shall establish local procedures for the National Register nomination process consistent with the requirements in the NHPA, Section 101(c)(2).

1. Before a property within the jurisdiction of a CLG may be considered by the state to be nominated to the National Register, the state shall notify the owner, the applicable chief elected local official, and the local historic preservation commission. The commission, after reasonable opportunity for public comment, shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register. Within sixty (60) days of notice from the state, the chief elected local official shall transmit the report of the commission and his/her recommendation to the state. After receipt of such report and recommendation, or if no such report and recommendation are received within sixty (60) days, the state

shall process the National Register nomination. The state may expedite such process with the concurrence of the CLG.

2. If both the commission and the chief elected local official recommend that a property not be nominated to the National Register, the state shall take no further action, unless within thirty (30) days of the receipt of such recommendation by the state, an appeal is filed with the state. If such an appeal is filed, the state shall follow the procedure for making a nomination pursuant to Section 101(a). Any report and recommendations made under this section shall be included with any nomination submitted by the state to the Secretary.

VII By mutual written agreement with the local governing body, the state may delegate additional responsibilities to the CLG. Local governments may be certified to participate in specific program activities under Programmatic Agreements.

- A. The CLG may develop educational programs promoting historic preservation at the local level such as, but not limited to, sponsorship of preservation workshops, publication of preservation information, organizing preservation fairs, conducting walking tours, preparing preservation curricula for schools, etc.
- B. Commission members may act in an advisory capacity to other officials and departments within the local government and act as a liaison on behalf of the CLG to individuals and organizations concerned with historic preservation issues at the local level.
- C. The CLG may participate in the Mills Act program or other economic incentive programs to provide property-tax relief for owners of historic properties.
- D. The CLG may participate in the Marks Historical Rehabilitation Act for issuance of tax-exempt industrial development bonds, providing that the commission shall serve as a part of the required citizen advisory board.
- E. The CLG may assume certain responsibilities of recommending National Register of Historic Places properties, identified in the CLG jurisdiction, directly to the State Historical Resources Commission.
- F. By mutual written agreement with the local governing body, the state may delegate additional responsibilities to the CLG.