

SONOMA COUNTY
LANDMARKS COMMISSION

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BY-LAWS OF THE LANDMARKS COMMISSION

(Adopted June 4, 1976)
(Revised November 5, 1998)
(Revised June 30, 2008)

ARTICLE I: PURPOSE

Section 1: The purpose of the Sonoma County Landmarks Commission is as follows: To protect those structures, groups of structures, sites, and areas that are reminders of past eras, events, and persons important in local, state, or national history; or which provide significant examples of architectural styles of the past; or which are unique and irreplaceable assets to the County and its communities (see Ordinance #1768, adopted April 23, 1974).

Section 2: Duties of the County Landmarks Commission, specified by the Administrative Procedures for the Implementation of the County Historic Zoning Ordinance (Board of Supervisors Resolution 64183, revised July 10, 1979), include:

- a. Review and authorize issuance of building permits within an Historic District when the Landmarks Commission determines that the plans are in conformance with the Historic District design characteristics and standards.
- b. Architectural/Design Review: Review building permit applications referred by PRMD for all historic structures within the County:
 1. The Landmarks Commission must review and approve or deny any alteration, repair, or addition to the exterior of a structure within Historic District zoning.
 2. Review shall be in accordance with the standards and criteria adopted by the Landmarks Commission, which are based on the U.S. Secretary of the Interior's guidelines.
- c. Review Demolition Permits of designated historic structures. The Landmarks Commission may:
 - a. Approve the permit to demolish.
 - b. Modify the permit to demolish.
 - c. Suspend the permit for a period not to exceed 180 days, for the purpose of pursuing alternatives such as public purchase, relocating the structure, change of land use, etc.
- d. Establish Historic Districts which are defined areas of the County containing a number of structures of historic merit, and Thematic Districts which recognize a significant theme carried through different areas of the County:

1. Determine the boundaries of the District, and identify the existing structures to be preserved.
 2. Determine the design characteristics warranting preservation, and adopt standards that would apply to new construction in the District.
- e. Designate individual structures as Historic Landmarks which meet the criteria adopted by the Landmarks Commission, and which are based on National Register of Historic Places eligibility criteria.
1. Proposals for Historic Landmark designation (Historic District Zoning) may be initiated by the property owner, Board of Supervisors, Planning Commission, or Landmarks Commission.
 2. The Landmarks Commission shall make a recommendation on the Historic Landmark designation to the Planning Commission.

Section 3: Additional duties of the Landmarks Commission.

- a. Review grant applications for the expenditure of advertising funds used for historic preservation.
1. Determine the eligibility of applications in accordance with adopted criteria and specific requirements.
 2. Make recommendations for funding amounts to the County Administrator's Office during the month of May preceding the fiscal year for which funds are required.
 3. Upon completion of the work, review and acknowledge that it is complete and in accordance with approved plans/specifications.
- b. Maintain Historic Sites Inventory.
1. Actively pursue the compilation and updating of Historic Resource Inventories for all areas of the County.
 2. Encourage property owners, historical societies, and students to complete Inventory Forms for buildings and properties not already recorded.
 3. Submit Inventory Forms to the State Office of Historic Preservation so that designated Historic Landmarks and other significant historic buildings shall be included on the California Register of Historical Resources.

- c. Actively promote State and Federal benefits available to owners of historic buildings, such as the State Historic Building Code, Investment Tax Credits, and Mills Act Program contracts.
- d. Review project referrals from PRMD for determining potential impacts on historic resources.
- e. Consult with members of the public and public agencies for determining impacts of activities and projects on historic resources.
- f. Maintain records of historic resources in the County.

ARTICLE II: MEETINGS

Section 1: Regular meetings of the Landmarks Commission shall be held on the first Tuesday of each month at the time and place designated by action of the Commission.

Section 2: If all necessary business cannot be accommodated at a regularly scheduled meeting, an adjourned regular meeting may be scheduled. In such an instance, the regular meeting is adjourned to a time and place specified before the close of the regular meeting.

Section 3: A special meeting may be called by the chairperson or secretary, and all procedures shall follow the Brown Act.

Section 4: 48 hours notice shall be given for all meetings.

Section 5: A quorum shall consist of a majority of the members of record of the Landmarks Commission.

ARTICLE III: CONDUCT OF BUSINESS

Section 1: No business shall be transacted at any special meeting of the Landmarks Commission other than those matters named in the agenda thereof.

Section 2: All meetings shall be called to order by the Chairperson, or in his/her absence, by the Vice-Chairperson. In the absence of both Chairperson and Vice-Chairperson, the Secretary of the Landmarks Commission (Planning Staff liaison) shall call the meeting to order and those Commission members present shall elect a Chairperson pro tempore.

Section 3: The Chairperson of the Landmarks Commission shall vote on all matters and shall have equal privileges as a member including the right to surrender the chair for purposes of making motions or introducing resolutions.

Section 4: In the course of conduct of meetings of the Landmarks Commission, the following rules shall apply:

- a. Voting: The Chairperson or any member of the Landmarks Commission may call for a roll call vote or qualified ballot vote. Unless such vote is called for, action may be taken by voice vote in which event, unless a member expresses the fact that he is abstaining from voting or voices a dissenting vote, he will be presumed and recorded as voting. If a dissenting vote is voiced by any member present, a roll call vote shall be taken and recorded.
- b. General: Except as otherwise herein provided, unless waived by the Landmarks Commission, Roberts Rules of Order shall be followed and their application may be demanded by any member at any time.

Section 5: The Planning Staff liaison to the Landmarks Commission shall prepare agendas and notices, keep a record of those members present and those absent at all official meetings of the Commission, and an official record of all proceedings and actions of the Commission. The minutes of the Landmarks Commission shall be approved by the Commission. The public reading of the minutes of any Landmarks Commission meeting may be dispensed with and the minutes approved if there are no objections. Failure to protest the minutes of any meeting at the next regular meeting attended by the protesting member shall preclude any member from challenging the correctness of the minutes or any vote indicated therein.

- a. Attendance: Should any Commissioner absent himself/herself from three consecutive meetings, or five meetings in any one calendar year, regular or adjourned regular, without reason satisfactory to the Landmarks Commission, the Commission shall recommend to the Board of Supervisors that such member be retired from said Commission with prior notice to the Commissioner.

ARTICLE IV: OFFICERS AND ELECTIONS

Section 1: Terms of office:

- a. The composition of the Landmarks Commission shall be one resident from each Supervisorial District, for a total of 5.
- b. The term of office shall be at the pleasure of the Board of Supervisors.

Section 2: The officers of the Landmarks Commission shall be a Chairperson and a Vice-Chairperson. The Chairperson and Vice-Chairperson shall be elected from among the Landmarks Commission members. The Secretary of the Landmarks Commission shall be a member of the Planning staff.

Section 3: Officers of the Landmarks Commission shall be elected at the regular meeting in January, for a term of 1 year, except that in the event that such election cannot be held at such meeting, it shall be held at the next meeting of the Landmarks Commission which is attended by at least two-thirds (2/3) of the total voting membership of the Commission.

Section 4: Officers of the Landmarks Commission shall assume the duties and obligations of their offices at the meeting of the Landmarks Commission following the meeting at which such election is held.

Section 5: In the event that any office of the Landmarks Commission becomes vacant, an election to fill such vacancy for the unexpired term of such office shall be held at the next meeting of the Landmarks Commission attended by at least two-thirds (2/3) of the total voting membership of the Commission.

Section 6: A nominee for any Landmarks Commission office must secure the vote of a majority of the voting members of the Commission to be elected to any office. In the event that there is more than one nomination for any office, the voting on such nominations shall be by secret ballot. In the event that there is only one nomination for any office, the voting on such nomination shall be in the manner directed by the Chairperson, and shall be either by secret ballot or by roll call vote of the voting members of the Landmarks Commission.

Section 7: No person shall serve two consecutive terms as Chairperson or two consecutive terms as Vice-Chairperson of the Landmarks Commission.

ARTICLE V: DUTIES AND OBLIGATIONS OF ELECTED OFFICERS

Section 1: The duties of the elected officers of the Landmarks Commission shall be as prescribed by the Landmarks Commission. Any officer of the Landmarks Commission who is absent from three (3) consecutive meetings of the Commission without prior permission of the Commission will be deemed to have resigned from such office and an election to fill the vacancy so created shall be held according to the rules adopted by the Landmarks Commission. Any officer of the Landmarks Commission may be removed from office by a vote of two-thirds (2/3) of the total voting membership of the Landmarks Commission.

Chairperson

Section 2: The Chairperson of the Landmarks Commission shall preside at all meetings of the Commission at which he/she is present. The Chairperson of the Landmarks Commission shall exercise general guidance and supervision over the business and operations of the Commission and shall present to the Commission such matters as in his/her judgment require the attention of said Landmarks Commission.

Vice-Chairperson

Section 3: In the absence of the Chairperson of the Landmarks Commission, the Vice-Chairperson of the Commission shall for that occasion accede to the duties and obligations of the office of Chairperson of the Commission.

Secretary

Section 4: The Secretary shall perform the duties required by law, together with such additional duties that may be prescribed by the Landmarks Commission for such office. The Secretary shall keep a true and complete record of the proceedings of the Landmarks Commission and shall have charge of all records, documents, papers, books and other evidence pertinent thereto. Any matters of the Landmarks Commission that require a legal opinion from County Counsel shall be referred in writing through the Secretary.

ARTICLE VI: AMENDMENTS TO BY-LAWS

Section 1: These By-laws and Rules of Organization may be amended at any regular meeting of the Landmarks Commission by a majority vote of the voting membership of the Landmarks Commission.

- a. A proposed amendment may be made at any regular meeting of the Landmarks Commission by a majority vote of the Commission. A vote will be taken on the amendment at the following meeting of the Landmarks Commission.
- b. The proposed amendment may be subject to review by County Counsel.

Article VII: CONDUCT OF COMMISSIONERS

Section 1: Code of Ethics. By adoption of these by-laws it expresses the intention that all Landmarks Commissioners hold themselves to the highest standard of ethical conduct.

- a. Landmarks Commissioners shall devote sufficient time, thought, and study to proposed actions so as to be able to base decisions upon all available facts and vote in accordance with honest convictions, unswayed by partisan bias of any kind.
- b. Landmarks Commissioners shall be encouraged to expand his/her potential as a Commissioner, through participation in educational conferences, workshops, and training sessions conducted by local, state, and federal agencies.

Section 2: Conflict of Interest.

- a. All Landmarks Commissioners are subject to the conflict of interest provisions contained in the Political Reform Act of 1974, and each member shall disqualify himself/herself from voting on issues where it is foreseeable that the Commissioner's economic interest will be materially affected.
- b. If a Landmarks Commissioner or the Landmarks Commission is unsure about a conflict of interest, an opinion may be requested from County Counsel and/or the California Fair Political Practices Commission.