



London Breed
Mayor

Julie C. Rosenberg
Executive Director

**SAN FRANCISCO BOARD OF APPEALS
DRAFT RESOLUTION TO ALLOW REMOTE PARTICIPATION BY THE PUBLIC AND
PARTIES AT BOARD HEARINGS**

WHEREAS, the Board of Appeals (“Board”) was established in 1932 and is authorized by the San Francisco Charter to hear and decide appeals of a wide range of determinations made by other City departments, commissions and agencies, including appeals of building permits; and

WHEREAS, Consistent with the Mayor’s orders and State law, the Board met remotely during the COVID-19 pandemic through March 6, 2022; and

WHEREAS, the Board resumed in-person meetings on March 30, 2022 and continued to allow remote participation by the parties, department representatives and the public; and

WHEREAS, on October 17, 2023, the Board of Supervisors (“BOS”) discontinued remote public comment by members of the public, except as necessary for disability accommodations (See Section 1.3.3 of the BOS Rules of Order and [BOS File Number 231020](#)); and

WHEREAS, on October 23, 2023, the Mayor’s Office instructed commissions to adopt the BOS's new rule and not allow remote public comment except when necessary to accommodate a disability; the Mayor’s Office further directed that all presenters from departments attend commission meetings in-person; and

WHEREAS, the Board’s Rules do not explicitly require in-person attendance at the hearings by parties or the public, nor do they prohibit remote attendance; and

WHEREAS, on December 6, 2023, at a regularly scheduled public meeting, the Board considered the Mayor’s directive and came to the following consensus: (1) allowing for remote access by the public increases participation in Board hearings; (2) the Board believes that in-person attendance by the parties and their representative enhances the hearing process, but recognizes that circumstances may make it difficult or infeasible to attend in-person, and (3) the Board should not address the attendance requirements for department representatives given that they are City employees subject to the direction of the Mayor; and

WHEREAS, at the hearing on December 6, 2023, Commissioner Swig (President of the Board at that time) directed the Executive Director to draft language, consistent with the consensus of the commissioners at the hearing, which could be adopted by the Board as a general policy; and

WHEREAS, the Executive Director drafted this Draft Resolution, to reflect the Board’s policy regarding remote participation; and thereafter calendared consideration of the Draft Resolution for consideration by the Board at its regularly scheduled meeting on February 28, 2024;

NOW THEREFORE BE IT RESOLVED, the members of the Board of Appeals shall continue to allow remote public participation at Board hearings; further the Board strongly encourages parties and their representatives to attend Board hearings in-person but shall allow remote attendance by parties and their representatives. The Board does not take a position on attendance by representatives of City Departments at Board hearings. The Board reserves the right to amend or revoke this policy as needed.

Adopted by the San Francisco Board of Appeals at its hearing on February 28, 2024.

Jose Lopez, President

Julie Rosenberg, Executive Director

AYES:

NOES:

ABSENT: