



325 W. WASHINGTON STREET, SUITE2, #221

San Diego, CA 92103
619-497-1193
www.MissionHillsHeritage.org

--A community organization dedicated to preserving the character, charm and historical resources of the Mission Hills neighborhood.

December 8, 2023

Tim Hutter, Chair
Members of the Policy Subcommittee
Historical Resources Board
City of San Diego
c/o Suzanne Segur, Senior Planner, HRB Liaison
Email: SSegur@sandiego.gov

Re: HRB Policy Subcommittee Meeting of December 11, 2023
Agenda Item #5: Discussion of Historic District Policy and National Register Districts.

Dear Chair Hutter and Members of the Policy Subcommittee:

At the Historical Resources Board (HRB) meeting on November 16, 2023, a motion was approved to direct staff to place on the agenda of the next or subsequent Policy Subcommittee meeting “the review and consideration of amendments to HRB Policy 4.1 and HRB Procedures as proposed by Mission Hills Heritage related to the local designation of National Register Districts.” Unfortunately, the agenda for this Policy Subcommittee meeting does not reference the proposed amendments, nor are such attached to the agenda.

Under Cal Gov Code § 54954.2(a)(1) of the Brown Act, “[a]t least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing *a brief general description of each item of business* to be transacted or discussed at the meeting” (Emphasis added). A “general description of each item of business” is inadequate to provide notice under § 54952.2(a)(1) if the public body fails to include an item,¹ employs a vague description omitting the action to be taken,² or the subject-matter is described but a vital proposed action is omitted.³ The notice-of-agenda requirement of § 54954.2(a)(1) also limits what the Policy

¹ *San Joaquin Raptor Rescue Ctr v. Merced Co* (2013) 216 Cal.App.4th 1167 [157 Cal.Rptr.3d 458].

² *Moreno v. City of King* (2005) 127 Cal.App.4th 17 [25 Cal.Rptr.3d 29].

³ *Carlson v. Paradise Unified Sch* (1971) 18 Cal.App.3d 196 [95 Cal.Rptr. 650].

Subcommittee is authorized to do at its meeting, because § 54954.2(a)(3) provides that “[n]o action or discussion shall be undertaken on any item not appearing on the posted agenda.” Further, if the Policy Subcommittee acts in violation of § 54954.2, its action may be declared null and void. Cal Gov Code § 54960.1(a).

If the Policy Subcommittee, at its December 11th meeting, makes any recommendation or takes other action with respect to the proposed amendments, which was the central focus of the Board’s motion, that action would be susceptible to objection at a later time due to the faulty noticing. This is because the agenda’s description in Item #5 vaguely references a discussion of the City’s Historic District Policy and omits any reference to the proposed action directed by the Board to review and consider the amendments to HRB Policy 4.1 and the HRB Procedures. Accordingly, we request that the item be continued to January so that staff can properly notice the matter, consistent with the Board’s motion, by referencing the proposed amendments in the description of the item.

We have attached a copy of our letter dated July 31, 2023, to which a copy of the proposed amendments are attached for your reference. We will be present at the Policy Subcommittee meeting on Monday to answer any questions.

Sincerely,
Mission Hills Heritage



Kirk Burgamy, President

Enclosure



325 W. WASHINGTON STREET, SUITE2, #221

*San Diego, CA 92103
619-497-1193
www.MissionHillsHeritage.org*

--A community organization dedicated to preserving the character, charm and historical resources of the Mission Hills neighborhood.

July 31, 2023

Kelley Stanco, Deputy Director
City of San Diego, Planning Department
9485 Aero Drive, M.S. 413
San Diego, CA 92123
Email: KStanco@sandiego.gov

Tim Hutter, Chair
Historical Resources Board
City of San Diego
c/o Suzanne Segur, Senior Planner, HRB Liaison
Email: SSegur@sandiego.gov

Re: **Listing of National Register Historic Districts on local San Diego Register**

Dear Ms. Stanco and Mr. Hutter:

In 2021, Mission Hills Heritage (MHH) nominated the Inspiration Heights Historic District (the District) to the National Register of Historic Places. The California State Historic Resources Commission voted unanimously to approve the listing and, to our delight, the District was officially added to the National Register in December 2021. This outcome was a boon for the City, given that the District had been identified as a potential historic district in the 2016 Historic Resources Survey Report, which the City Council adopted as part of the Uptown Community Plan Update.

Since that time, MHH has sought to have the District listed on the local San Diego Register of Historical Resources. Historical Resources Board (HRB) Policy 4.1, titled "Procedure on Establishing Historic Districts," sets forth several criteria for designating an historic district within the City of San Diego, including the following:

Criterion E – Is listed or has been determined eligible by the National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historical Preservation Office for listing on the State Register of Historical Resources.

With respect to Criterion E, HRB staff issued a February 3, 2021 memorandum to the HRB Policy Subcommittee regarding the process for listing a National Register property on the local register (See Attachment 1). In that memorandum, staff stated that pursuant to SDMC § 123.0202, local designation must occur through HRB action that takes place at a public hearing, the owners of resources being considered for designation must be notified before the public hearing, and “the Board’s decision to designate must be based on a research report and written findings.” Staff also stated in the memorandum:

Although designation under Criterion E does not occur automatically for eligible resources, it does provide a simplified path to local designation for these resources. If a resource is already listed on, or officially determined eligible for listing on, the State or National Registers, no additional analysis of the property’s significance is required to nominate and designate it locally. [Underline added.]

Consistent with this guidance, MHH, on January 31, 2022, submitted the District’s National Register nomination to HRB staff and requested that staff process it for the local register (See Attachment 2). A hearing to consider the District for local listing was tentatively scheduled for the September 2022 HRB meeting. However, in early September, we were informed by email that the HRB would not consider the District for local listing because “staff is not prepared to move the district forward.”

Upon further inquiry, HRB staff initially informed MHH that all of the steps necessary to establish a new historic district locally would be required for the District, including polling of residents, workshops for residents, HRB subcommittee meetings and, finally, noticing and two meetings of the HRB to approve the designation. In support, staff cited the procedures described in HRB Policy 4.1 and the Historical Resources Board Procedures (the “HRB Procedures”), noting that these rules do not clearly create exceptions for expedited processing of National and/or California Register districts. In March 2023, staff informed MHH that the City Attorney’s office had recently opined that the relevant rules would need to be amended to create the exception for a simplified process to list National Register districts on the local register.

To our knowledge, staff has not taken any steps to draft such amendments. Therefore, the remainder of this letter highlights the law that authorizes the HRB to adopt its own procedural rules and policies and sets forth a proposed amendment to Policy 4.1 and the HRB Procedures.

Initially, it should be noted that it is the HRB’s duty to “compile and maintain an up-to-date register of *designated historical resources*,” which by definition includes listed National Register districts. SDMC § 111.0206(d)(5) (emphasis in original); SDMC § 113.0103 (defining “designated historical resource” to include historical districts listed in the National Register of Historic Places). Additionally, SDMC § 111.0206(d)(9) grants the

HRB the power to “establish criteria” for an historical resources inventory of City properties.

To meet these ends, SDMC § 111.0206(c) grants the HRB the authority to adopt procedural rules and policies. That provision provides:

(c) Meetings. The Historical Resources Board shall meet at least once a month or as often as necessary for the transaction of business. The meetings shall be noticed and open to the public. The Board shall adopt procedural rules and policies, consistent with law, for the conduct of its business. The Board shall keep minutes of all meetings including voting records, attendance, resolutions, findings, determinations, and decisions. A quorum for the transaction of business shall be comprised of six members of the Board. An affirmative vote of at least six members is required for designation of a *historical resource*. An affirmative vote of a majority of the members present is required for any other action by the Board.” [Underline added.]

Plainly, the HRB has the authority to adopt and amend its own policies and procedures under SDMC § 111.0206(c), including HRB Policy 4.1 concerning the procedures on establishing historic districts and the HRB Procedures as it relates to the processing of historical district nominations. Indeed, consistent with this authority, the HRB has amended HRB Policy 4.1 on three occasions since its adoption in 1977 and the HRB Procedures on eight occasions.

With respect to the substance of the amendments, we propose that HRB Policy 4.1 be amended to create a streamlined path to local designation for National and/or California Register districts. In conformity with SDMC § 123.0202,¹ the HRB’s Guidelines for the Application of Designation Criteria,² and principles of due process, that procedure should consist of (i) an HRB action that takes place at a public hearing, (ii) notification to owners within the historic district at least 10 business day before the public hearing, (iii) submission of a research report consisting of the nomination to the National Register or California Register, and (iv) written findings describing the historical significance of the

¹ SDMC § 123.0202 pertains to the designation process for historical resources.

² See City of San Diego Historic Resources Board, *Land Development Manual Historical Resources Guidelines: Guidelines for the Application of Historical Resources Board Designation Criteria*, Appendix E, Part 2 (revised Feb. 24, 2011), p. 33.

district.³ We propose that the HRB Procedures be amended to provide that, for National and/or State Register districts, staff include the district nomination on the next available HRB agenda upon staff's concurrence that the district's nomination documents are complete. Accordingly, we submit with this letter proposed amendments to HRB Policy 4.1 and the HRB Procedure to create such a simplified procedure for National and California Register districts to be designated locally (See Attachments 3 and 4).

This proposal allowing for the processing of National Register and State Register historic districts has gained overwhelming support from various communities throughout the City of San Diego. A coalition of ten (10) organizations focused on historical preservation have joined us in supporting this proposal and have demonstrated their support with statements of support (See Attachment 5). These organizations are:

- 1) Bankers Hill Community Group
- 2) Heart of Bankers Hill, Inc.
- 3) Heart of Kensington
- 4) Historic Kensington
- 5) La Jolla Historical Society
- 6) Neighborhood Historic Preservation Coalition
- 7) North Park Historical Society
- 8) Save Our Heritage Organisation
- 9) Talmadge Historical Society
- 10) University Heights Historical Society

We respectfully ask that this matter be brought up to the HRB within the next 90 days so that the amendment can be expeditiously adopted. In our view, amending HRB Policy 4.1 and the HRB Procedures to expedite local designation of National and California Register districts will further the goals of our local laws and regulations for the designation and protection of historic properties, including the goals of the Uptown Community Plan to establish the proposed historic districts identified in the 2016 Historic Resources

³ This proposed process is supported by the February 3, 2021 memorandum and past actions of the HRB. As an example of the processing of a district at the local level that was already listed on the National Register, the HRB approved the University Heights Water Storage and Pumping Station Historic District (a.k.a. the "Tin Man Historic District"), HRB Site #1177, on April 23, 2015 with only one meeting and no other action. Staff submitted a short report with the National Register nomination, but no other analysis was performed. We believe the Tin Man Historic District was correctly processed without the additional requirements applicable to designations originating at the local level as set forth in HRB Policy 4.1.

Kelley Stanco, Deputy Director
Tim Hutter, Chair
July 31, 2023
Page 5

Survey Report and assist city staff by reducing the growing backlog of potential historical districts identified citywide that have not yet been established.

Sincerely,
Mission Hills Heritage

A handwritten signature in blue ink that reads "Kirk Burgamy". The signature is written in a cursive, flowing style.

Kirk Burgamy, President

cc: Suzanne Segur, Senior Planner, HRB Liaison
Bernie Turgeon, Senior Planner, Planning Department, Historical Resources
Section

Attachment 1

February 3, 2021 Memorandum to the HRB Policy Subcommittee



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: February 3, 2021

TO: Historical Resources Board Policy Subcommittee

FROM: Gemma Tierney, Historical Resources Board Support Staff, Development Services Department

SUBJECT: HRB Criterion E

This memo has been prepared to address a question raised at the September 14, 2020 meeting of the HRB Policy Subcommittee regarding how and why properties are designated under HRB Criterion E.

If a resource is listed on, or officially determined eligible for listing on, the State or National Registers, it meets HRB Criterion E. However, such resources are not automatically added to the City of San Diego Register under Criterion E. Even if a resource undoubtedly meets one or more HRB Criteria, some additional steps are required for it to be added to the San Diego Register, so it cannot occur automatically. Per S.D.M.C Section 123.0202, local designation must occur through Board action that takes place at a public hearing, and the owners of resources being considered for designation must be notified prior to the public hearing. Additionally, the Board's decision to designate must be based on a research report and written findings. In practice, the designation of resources under Criterion E has occurred via an HRB resolution that documents the required written findings, just like designation under any of the other HRB Criteria.

Although designation under Criterion E does not occur automatically for eligible resources, it does provide a simplified path to local designation for these resources. If a resource is already listed on, or officially determined eligible for listing on, the State or National Registers, no additional analysis of the property's significance is required to nominate and designate it locally. In addition to this simplified designation option, another reason that an applicant may pursue designation under Criterion E is simply because they wish to designate their property under multiple HRB Criteria.

Attachment 2

Letter Submitting National Register Nomination to Staff



325 W. Washington Street, Suite 2, #221
San Diego, CA 92103
619-497-1193
www.MissionHillsHeritage.org

--A community organization dedicated to preserving the character, charm and historical resources of the Mission Hills neighborhood.

January 31, 2022

Via Hand Delivery and Electronic Mail

City of San Diego
Historical Resources Section
Attn: Caroline Garcia
1222 First Avenue, 5th Floor
San Diego, CA 92101
Email: CarGarcia@sandiego.gov

Re: Inspiration Heights Historic District
Generally bounded by Sunset Blvd., Alameda Ter., St. James Pl. and Witherby St.

Dear Ms. Garcia:

Please be advised that the Inspiration Heights Historic District was officially listed in the National Register of Historic Places on December 7, 2021, number SG100007226.

Mission Hills Heritage hereby applies for designation of the Inspiration Heights Historic District as a locally designated historic district under local Criterion E as a resources listed on the National Register of Historic Places. Enclosed herewith is (1) a copy of a letter from the California State Office of Historic Preservation confirming the listing with the National Register and (2) a copy of the complete nomination report. Mission Hills Heritage requests that the nomination be processed and brought forward for approval by the City of San Diego Historical Resources Board.

Please let us know if you need any additional information. Thank you for your assistance.

Sincerely,


Kirk Burgamy, President

Enclosure(s)

Cc: Suzanne Segur, Senior Planner/HRB Liaison (via email only)
Kelley Stanco, Senior Planner, Department of Planning (via email only)

Attachment 3

Proposed Amendments to HRB Policy 4.1

HISTORICAL RESOURCES BOARD

POLICY 4.1: ADOPTED BY HSB ON JANUARY 7, 1977
AMENDED BY HRB ON AUGUST 28, 2000
AMENDED BY HRB ON APRIL 25, 2002
AMENDED BY HRB ON OCTOBER 27, 2011
AMENDED BY HRB ON _____ 2023

PROCEDURE ON ESTABLISHING HISTORIC DISTRICTS

1. PURPOSE AND INTENT

This policy is intended to guide the designation of historical districts within the City of San Diego. A *Historical District* is a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are united historically, geographically, or aesthetically by plan or physical development and that have a special character, historical interest, cultural or aesthetic value, or that represents one or more architectural periods or styles in the history and development of the City (SDMC 113.0103.) Designated historic districts are those districts designated by the Historical Resources Board pursuant to Land Development Code Chapter 12, Article 3, Division 2, and included in the City of San Diego Historical Resources Board Register, or listed in or determined to be eligible for listing in the California Register of Historic Resources or the National Register of Historic Places. Individuals or groups interested in submitting a historic district nomination for designation should review the *Guidelines for Preparing a Historic District Nomination in Consultation with Staff* (District Nomination Guidelines) for direction on how to proceed.

2. BACKGROUND

The City of San Diego Historical Resources Board (previously the Historical Sites Board) adopted its first policy on historical districts on January 7, 1977. The original policy did not distinguish different district types and provided twelve guidelines that were to be used in assessing a district's historical significance. The policy was updated on August 28, 2000, and it was at this time that districts were first separated into distinct categories. These categories included Geographic, Thematic, and Emerging. On April 25, 2002 the district policy was revised again to include the Archaeological District and the Voluntary/Traditional Historical District types.

Since the policy revision in 2002 that resulted in five district types, several issues with the district policy have been identified. Among these issues are the confusion created by different district types; the difficulty in regulating the various district types with the existing Historical Resources Regulations; the difficulty in establishing some district types; the difficulty in preserving the integrity of other district types; and the fact that the existing policy accommodated too many varying levels of community support and degrees of research and survey work. In addition, while the City is permitted to adopt its own district policy based on local preservation needs, the existing policy was not consistent with State

As a result of these issues, the District Policy was amended in 2011 with the goal of simplifying the designation and regulation of historical districts. The district types were reduced from five to one, a standard geographic historical district. Resources that are thematically related but not located within a geographically limited and defined boundary shall be addressed through a Multiple Property Submission, consistent with National Park Service Bulletin 16B, *How to Complete the National Register Multiple Property Documentation Form*. Archaeological districts will now be processed as a standard geographical historic district under this policy.

3. EXISTING DISTRICTS

All but one of the existing districts were established as standard geographic districts, meaning they were confined to a defined geographic area, and all identified contributing properties were designated at the time the district was established. This amended district policy will not impact the way these districts are regulated. However, the Ocean Beach Cottage Emerging Historical District was established with only a context statement and period of significance to establish the significance of the district, as well as a few properties which fell within that context and period of significance that were eligible for designation under HRB Criterion F. A complete intensive survey was never completed, and therefore all eligible contributing properties are not known. Owners of properties which fall within the context statement and period of significance may bring their properties forward for designation as contributors to the district. Only those properties identified and designated as contributors are currently regulated.

Because the Ocean Beach Cottage district does not have a full intensive survey, is based on a context statement and period of significance, and is limited to those properties that fall within the context and period that are volunteered by the property owner for designation, conversion of this district to a standard geographic district is not feasible. In addition, the district's long history as a historic district precludes conversion to a Multiple Property Submission. Therefore, the district will continue to be regulated under the prior policy. Property owners may continue to bring properties forward for designation under the established context and period of significance, and the district shall remain voluntary in nature. However, no new districts will be processed under this district type.

4. CRITERIA

The district must be evaluated and determined to be significant under one or more of the adopted Designation Criteria A-E, B, C, D, and F. A historical district under Criterion E is presumed significant, subject to the procedures in Section 8 of this Policy. Contributing resources within a Criterion E district are designated under Criterion E. Contributing resources within Criteria A, B, C, D, and F districts are designated under Criterion F. The Board's adopted *Guidelines for the Application of Historical Resources Board Designation Criteria* provides guidance on the proper application of the designation criteria:

Criterion A - Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development.

Criterion B - Is identified with persons or events significant in local, state or national history.

Criterion C - Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of natural materials or craftsmanship.

Criterion D - Is representative of a notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman.

Criterion E - Is listed or has been determined eligible by the National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historical Preservation Office for listing on the State Register of Historical Resources.

Criterion F - Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

Research Considerations: When evaluating the district under the adopted designation criteria above, the following research considerations may be useful in developing a context and establishing significant themes:

Common Heritage: An area associated with groups of existing or former residents who, because of their common employment or heritage have contributed significantly to the City's development. Such an area will usually contain structures of architectural interest identified with common heritage and traditional functions.

Traditional Activity: An area or district associated with traditional activity, such as a central market, an educational or transportation facility, wharves, or warehousing. Such an area may also be remarkable for the particular architectural styles or method of construction associated with its original or traditional activity. Often a traditional activity has significantly shaped the history of the community which it served adding to its historic significance. If the traditional function exists in the present, it serves to illustrate the similarities and differences between past and present.

Rare Past: A district which was once representative of common existence during a specific historic era but is now rare or unusual. Such as: an example of architecture, artistry, or design once common, now rare, or a function or use once common, now rare.

Development Progression: Neighborhoods or districts illustrating the progressive development of style and changes in architectural and cultural taste.

Consistent Plan: Districts illustrating the development of coherent or consistent planning and design, or innovations in planning philosophy.

Public Works: Districts which illustrate the development of public works and other significant engineering achievements. During all historical periods structural aspects have been important, but after 1850, systems or construction employing steel and masonry contributed greatly to the evolution of commercial, industrial, and public buildings and therefore take a large part in the study of architecture of late periods.

Features of Daily Living: Districts which illustrate the details of daily living during a previous period. Equipment or mechanical devices such as call bells, speaking tubes, dumbwaiters, fans, or similar systems are examples.

Industrial Evolution: Districts which illustrate the evolution of an industrial era and its effects on humanity. Examples include company towns, glassworks, factories, manufacturing processes, and marketing developments. Aspects of these which have been instrumental in changing modes of work, altering working conditions, improving living standards, and generally affecting the social order may also manifest significance.

Craftsmanship: Examples of workmanship, craftsmanship, artistry, or design which would today be economically infeasible or difficult to reproduce and/or are of benefit to the contemporary community as significant reminders of the past.

Building Groupings: Building groupings where the significance and importance of the individual structures is increased because of their relationship to a grouping or row of other significant structures, which may or may not be of a similar period or design style.

Landmark Supportive: District of quality buildings or sites, often made up of individual landmark structures supported by other structures of somewhat lesser importance. Such districts are normally easily definable and have a significance over and above the sum of the values of each historic site because of the total historic environment.

5. **OBJECTIVE**

The objective of a District is to maintain the scale and basic character of the subject district and other designated historic districts through:

- a. Protection and preservation of the basic characteristics and salient architectural details of structures insofar as these characteristics and details are compatible with the historical district, as defined by the Board in the Statement of Significance adopted for each district.
- b. Affording the widest possible scope for continuing vitality through private renewal and architectural creativity, within appropriate controls and standards. The Board intends to foster a climate in which each district may continue to exist as a living, changing neighborhood and not a static museum.
- c. Encouraging development of vacant property and redevelopment of incompatibly developed properties in accordance with the character of the area.
- d. Encouraging continuous research into San Diego's human past and culture for the benefit of future generations.

6. **DOCUMENTATION**

The following information is required to designate a historical district, except as provided in Section 8 of this Policy. These requirements are discussed in greater detail in the District Nomination Guidelines.

Geographic Boundaries: Specific geographic boundaries are established to encompass the historically significant area, sites and features.

A Context and Statement of Significance: Historic contexts are those patterns or trends in history by which a specific occurrence, property, or site is understood and its meaning (and ultimately its significance) within history or prehistory is made clear. The nomination must place the district within its historic context and develop a statement of significance that describes how the district is significant within that context under one or more of the adopted HRB Criteria A-E. For a more detailed discussion regarding historic contexts, refer to the District Nomination Guidelines.

Site Surveys: All properties within the district boundaries are evaluated and identified as contributing to the historical significance of the district, or as non-contributing sites. State of California Department of Parks and Recreation Forms (DPR-523 Forms) are provided for all properties within the District boundaries.

Contributing Sites: Contributing sites are those that meet the significance characteristic of the District and are specifically designated historical resources. These sites shall be eligible for all the benefits and responsibilities of historic designation, including the application of the Historical Building Code, Tax Code Incentives, and US Secretary of Interior Standards for development.

Non-contributing Sites: Non-contributing sites are those that have been substantially modified so that they no longer contribute to the historical integrity of the district, or sites that were developed subsequently and have no inherent historical significance or features. These sites are not eligible for benefits resulting from historical designation, except if the owner subsequently restores original historic fabric and features making it a contributing site to the district. In these cases, the Board shall hold a public hearing where the status of the site from non-contributing to contributing can be assessed and approved.

Vacant Parcels: Vacant parcels within the boundaries of a District will be deemed to have significance if they relate to the quality and character of the district, otherwise they will be classified as non-contributing sites. Alteration of vacant sites will be reviewed in a manner consistent with the applicable historical district's approved development guidelines.

District Features: The Board will determine upon designation of a Historic District those features and characteristics deemed essential to the maintenance of the district's architectural and/or historic integrity.

Development Guidelines: If deemed necessary to maintain the historical and/or architectural integrity of a historical district the Board will prepare and adopt a set of development guidelines to be used in development project review for contributing and non-contributing sites, and other district features such as streets, etc., to provide an appropriate context for the application of US Secretary of Interior Standards.

Demolition and Alteration: Alteration to a contributing site within a historical district must comply with the applicable provisions of the San Diego Land Development Code. For example, a Site Development Permit is required for substantial alteration within historical districts and a recommendation of the Historical Resources Board is required prior to Planning Commission decision on a Site Development Permit. Furthermore, if a deviation for demolition or removal of a contributing structure within a historical district is approved, the applicant must obtain approval for

new development before the issuance of a Demolition/Removal Permit. (San Diego Land Development Code sections 126.0502, 126.0503, 143.0250, and 143.0260(c).

Inter-Department and Agency Support: Participation of appropriate City departments will be sought to assist with the preparation of a historical district. Upon designation of a historical district, actions of Departments which could affect said district, including proposed changes in land use, changes in traffic patterns and street closing, public improvements, encroachment permits, etc. should be forwarded to the Board for review and recommendation, consistent with the applicable historical district development guidelines and Section 111.0206d(4) of San Diego Land Development Code which empowers the Board *“To adopt standards and guidelines to be used by the Board in*

reviewing applications for development permits involving designated historical resources.”

7. BOARD ACTION

The following actions are required for the City of San Diego Historical Resources Board to establish a historical district, except as provided in Section 8 of this Policy.

- a. **Designation request:** Any organization, or individual can bring forth a request for historical district designation, as detailed in the District Nomination Guidelines. The request should also include a petition endorsed by a substantial number or a majority of the affected property owners. If the request is brought forth by the City, based on comprehensive historical studies available to the City, staff shall include information showing the extent of community support and involvement in the preparation of the Historic District Document. For all nominations, staff will solicit the level of support and opposition from property owners within the proposed district boundary consistent with the process outlined in the District Nomination Guidelines, and shall provide that information to the Board.
- b. **Historical Report:** The request shall include a Historical Report with information about the proposed historical district, including a Methods section, Context, Statement of Significance, Period of Significance, boundaries or area of effect, DPR-523 Forms, and Development Guidelines as needed. Information will be submitted to staff of the Historical Resources Board for review.
- c. **Board Review:** Two meetings of the Board are required to establish a historical district. Upon receipt of a complete historical district designation package, the Historical Resources Board staff shall schedule the item for review by the Board. At this time the Board shall evaluate the completeness and adequacy of the information submitted establishing the significance of the proposed historical district at a regularly scheduled Board meeting. If the information submitted is found adequate, a second noticed public hearing shall be scheduled for the next available Board hearing.
- d. **Noticing:** Notices will be mailed as required by the San Diego Land Development Code Section 123.0202 (b) to all affected property owners, and community planning groups, neighborhood associations, historical societies, and other interested parties.
- e. **Site Visit:** Historical Resources Board members are required to physically visit the district area and view the sites within the district’s boundary before taking any action.

- f. **Board Hearing:** The Board will hear public testimony on the establishment of the historical district, and take appropriate action. The action of the Board to designate a historical district may be appealed to the City Council as established by the San Diego Land Development Code Section 123.0203.
- g. **Implementation:** Upon Board designation of a historical district the boundaries of said district shall be transmitted to all affected City departments so they may be aware of the Board's interest and involvement in any actions that could potentially affect the historical integrity and significance of the district. The Board shall review any development request affecting a significant historical resource as established by the various sections of the City of San Diego Land Development Code, to provide the appropriate recommendations to the decision maker. Additionally, contributing sites within a historical district shall be eligible for the Mills Act Program provided they meet the standards of the program.

8. **HISTORICAL DISTRICTS LISTED OR DETERMINED ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES AND/OR THE STATE REGISTER OF HISTORIC PLACES**

- a. **Criterion E.** A historical district that is listed or has been determined eligible by the National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historical Preservation Office for listing on the State Register of Historical Resources, is presumed significant and is eligible for designation by the City of San Diego Historic Resources Board and inclusion in the City of San Diego Historical Resources Board Register.
- b. **Documentation.** The following documentation shall be deemed to satisfy the information requirements in Section 6 of this Policy:
 - i. For a historical district listed on the National Register of Historic Places or the State Register of Historical Resources,
 - A. Copy of the National or California Register of Historic Places nomination; and,
 - B. If applicable, a Continuation Sheet noting any changes to the material condition or integrity of the resource since the National or California Register listing.
 - ii. For a historical district determined to be eligible for listing on the National Register of Historic Places or the State Register of Historical Resources,
 - A. Official documentation from the Keeper of the National Register of Historic Places or the State Office of Historic Preservation identifying the resource's determination of eligibility; and
 - B. If applicable, a Continuation Sheet noting any changes to the material condition or integrity of the resource since the Determination

of Eligibility.

- c. **Board Action.** The following actions are required for the City of San Diego Historical Resources Board to designate and include a Criterion E historical district in the City of San Diego Historical Resources Board Register:
- i. **Local Designation Request.** Requests to designate and include a Criterion E historical district in the City of San Diego Historical Resources Board Register, may originate from the Historical Resources Board, the City Manager, the City Council, or any member of the public, including an organization.
 - ii. **Historical Report.** The local designation request for a Criterion E historical district to be designated shall include the relevant documentation in Section 8(b) of this Policy.
 - iii. **Board Review & Hearing.** Upon receipt of the documentation filed in connection with the local designation request, the Historical Resources Board staff shall schedule the item for review by the Board at a public hearing. At this regularly scheduled meeting, the Board shall evaluate the submitted documentation, hear relevant public testimony, and take appropriate action to designate the historical district and include it in the City of San Diego Historical Resources Board Register unless substantial evidence exists that the district is not significant. The action of the Board to designate and include such a historical district on the City of San Diego Historical Resources Board Register may be appealed to the City Council as established by the San Diego Land Development Code Section 123.0203.
 - iv. **Notice.** Notices will be mailed as required by the San Diego Land Development Code Section 123.0202(b) to all affected property owners, and community groups, neighborhood associations, historical societies, and other interested parties.
 - v. **Site Visit.** Historical Resources Board members are required to physically visit the historical district and view the sites within the district's boundary before taking any action.
 - vi. **Implementation.** Upon Board designation and inclusion in the City of San Diego Historical Resources Board Register of a criterion E historical district, the boundaries of said district shall be transmitted to all affected City departments so they may be aware of the Board's interest and involvement in any actions that could potentially affect the historical integrity and significance of the district. The Board shall review any development requests affecting a significant historical resource as established by the various sections of the City of San Diego Land Development Code, to provide the appropriate recommendations to the decision maker.

Additionally, contributing resources within a historical district designated by the Historical Resources Board under Criterion E and included in the City of San Diego Historical Resource Board Register shall be eligible for the Mills Act Program provided they meet the standards of the program.

DRAFT

Attachment 4

Proposed Amendments to HRB Procedures

HISTORICAL RESOURCES BOARD PROCEDURES

Adopted October, 28, 2004

Revised September 28, 2006; January 24, 2008; September 25, 2008; April 22, 2010; February 24, 2011; January 24, 2013; March 27, 2014; February 23, 2017; _____, 2023

* * *

II. Business of the Board

* * *

E. Processing of Historical District Nominations

The process of the district nomination shall comply with the Historical Resources Board Policy 4.1, Historical Districts, and all applicable provisions of the Land Development Code and Land Development Manual.

For historical district nominations processed under Historical Resources Board Criteria A, B, C, D, and F, before any historical district may be established, staff shall review the draft district documents and determine that they are complete. The complete draft district documents shall be scheduled for a Historical Resources Board Policy Subcommittee meeting to introduce the district materials. A second meeting (and additional meetings if necessary) shall be scheduled after the Subcommittee members have reviewed the draft district materials in order to obtain Subcommittee input. Once the Policy Subcommittee's review is complete and they concur that the draft district materials are ready for Board consideration, staff shall include the district nomination on the next available Historical Resources Board agenda. ~~The process of the district nomination shall comply with the Historical Resources Board Policy 4.1, Historical Districts, and all applicable provisions of the Land Development Code and Land Development Manual.~~

For historical district nominations processed under Historical Resources Board Criterion E, which are already listed on or eligible for listing on the National Register of Historic Places or the State Register of Historical Resources, staff shall include the district nomination on the next available Historical Resources Board agenda upon staff's concurrence that the district's nomination documents are complete.

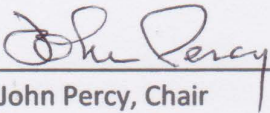
Attachment 5

Statements of Support

Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. The proposal to adopt these amendments is made in the spirit of assisting City staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

Bankers Hill Community Group

A handwritten signature in cursive script, appearing to read "John Percy", is written over a horizontal line.

John Percy, Chair

Bankers Hill Community Group

Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

Heart of Bankers Hill Inc.

By: 

Name: Ann Kilrain

Title: President



Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

The Heart of Kensington

By: Margaret B McCann
Name: Maggie McCann
Title: President



HISTORIC KENSINGTON

Preserving Our Historic Neighborhood

July 24, 2023

To Whom It May Concern:

The undersigned, on behalf of the Executive Committee of *Historic Kensington*, fully supports the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts which have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State of California Register of Historical Resources.

In recognition of the fact the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities, and has no workplan in place to process proposed districts in many other communities, we believe a pathway should exist for organizations and members of the public to nominate historic districts to the National or California Register - then pursue local designation - in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting City staff by reducing the growing backlog of potential districts identified city-wide which have not yet been processed.

Respectfully submitted,

Priscilla Ann Berge

Advisor, Historic Kensington

cc: Executive Committee/Historic Kensington



Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

Name: Lauren Lockhart

Signature:

Title: Executive Director, La Jolla Historical Society

Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

Neighborhood Historic Preservation Coalition

By: 
Name: Dan Soderberg
Title: NHPC Chair

Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

North Park Historical Society

By: 

Name: Stephen Hon

Title: President

Statement of Support

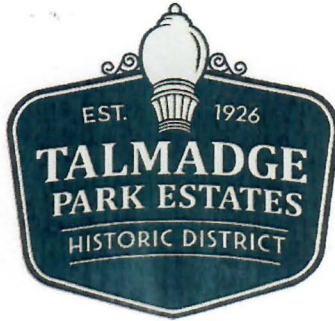
The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

Save Our Heritage Organisation

By:  _____

Name: Bruce Coons

Title: Executive Director

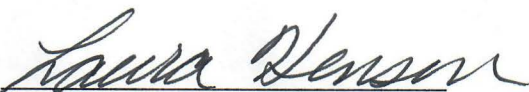


Talmadge Historical Society
4142 Adams Avenue, Suite 103-455
San Diego, CA 92115

Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

Talmadge Historical Society
4142 Adams Avenue, Suite 103-455
San Diego, CA 92115

By: 

Name: Laura Henson

Title: President

Statement of Support

The below signatories fully support the request of Mission Hills Heritage that the City of San Diego Historical Resources Board (HRB) expeditiously amend the HRB Procedures and HRB Policy 4.1 to allow for the timely processing of local designation for historical districts that have been listed in, or have been recognized as eligible for, the National Register of Historic Places or the State Register of Historical Resources. In recognition of the fact that the City is far behind schedule in processing even a limited number of proposed historic districts in certain communities and has no workplan in place to process proposed districts in many other communities, we believe that a pathway should exist for members of the public and organizations to nominate historic districts to the National or California Register, then pursue local designation, in order to unlock the benefits of historic districts and incentivize historic preservation in the City of San Diego. Our proposal to adopt these amendments is made in the spirit of assisting city staff by reducing the growing backlog of potential districts identified citywide that have not yet been processed.

University Heights Historical Society

Name: Kristin Harms

Title: President