

October 30, 2025

City of San Diego Planning Commission
7650 Mission Valley Rd.
San Diego, CA 92101



Re: Preservation & Progress Package A: Support

Dear Commissioners:

On behalf of the Building Industry Association of San Diego (BIA), I write to request your support of Preservation and Progress, Package A, when it is before you on November 6th at Planning Commission. As experts in the field, you must recognize the importance of the City completing historic reform as it has been discussed over the past year at least.

The BIA believes this to a reasonable and pragmatic policy package that begins to put the appropriate fundamentals in place in advance of Package B, which we eagerly look forward to in 2026. The current policies before you streamline processes, and practical clean up of City code. In the face of the housing crisis we continue to find ourselves in, we must make these steps to remove procedural hurdles from the production of homes in our City.

It is absolutely imperative, however, that the ability for appeals of non-designations be limited to the property owner. The reality in our City is that preservationists who intend to halt development they deem unfavorable are looking to not only removes property rights but inject an enormous amount of uncertainty for the development community by allowing for any third party to appeal a non-designation. In the past, you have championed certainty, good local planning and practical policy approaches and we urge you to hold this line again.

This policy package represents an important step forward and one that has been long awaited by many stakeholders. We ask for your support of the item and appreciate your continued commitment to housing San Diego's families.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lori Holt Pfeiler'.

Lori Holt Pfeiler
President & CEO
Building Industry Association of San Diego



Save Our Heritage Organisation

Protecting San Diego's architectural and cultural heritage since 1969

November 3, 2025

Kelly Modén, Chairperson and Commissioners
Planning Commission, City of San Diego
7650 Mission Valley Rd., San Diego, California 92108
planning@sandiego.gov

Re: Opposition comment on Package A of the Preservation & Progress Initiative Item: 1
Date: November 6, 2025

Dear Chair, Modén and Commissioners,

We appreciate the opportunity to comment on Package A of the City's Preservation and Progress Initiative.

SOHO supports the City's stated intent to make the preservation program clearer, more equitable, and more accessible to the public. Unfortunately, several provisions within Package A undermine those objectives. Rather than improving transparency and fairness, they introduce new procedural obstacles, restrict public participation, and reinforce or even expand existing inequities.

For these reasons, SOHO respectfully urges the Commission to withhold its recommendation for approval of Package A in its current form.

Our remarks focus on the proposed revisions that would undermine, rather than enhance the integrity, inclusiveness, and effectiveness of San Diego's historic preservation process. These recommendations were advanced without the public disclosure of the Benchmarking Study that supposedly underpins them, and without any substantive engagement with the preservation community. After nine months, this essential document remains unavailable, preventing stakeholders from providing informed and constructive feedback.

(1) New Grounds for Appeal SDMC §123.0203(a)(3) and (b)(3)

We are deeply concerned that the proposed new ground for appeal risks allowing City Council to substitute its political judgment for the HRB's expert determination, undermining the professional integrity of the designation process.

The de novo proposal represents a clear politicization of what should remain an objective, professional process. City Council does not possess the specialized expertise required to evaluate historical significance. These determinations must remain with qualified professionals and the citizen experts serving on the Historic Resources Board (HRB).

For more than twenty years, neither the HRB nor the City Council has supported such ordinance changes—and for good reason. These revisions would replace consistency and objectivity with political influence and subjectivity.

These appeal changes would diminish the power of citizens vis-à-vis the City this represents a fundamental issue of democratic accountability and citizen participation.

Recommendation: Reject proposed new ground for appeal

(2) Appeals Process – SDMC §123.0203(a) and (b)

The proposed amendments create unequal appeal rights by allowing only record property owners to appeal non-designations, while permitting all interested parties to appeal designations.

This disparate treatment raises serious fairness and equal protection concerns, as it gives one class of participants—property owners—superior rights not afforded to others who have participated in good faith in the nomination process. The result is a procedural imbalance that silences community voices and undermines public participation—values expressly affirmed in SDMC §111.0102 and in the stated goals of the Preservation and Progress Initiative.

Limiting appeals of non-designations to property owners effectively eliminates legitimate review of potentially erroneous HRB decisions and discourages civic engagement. Such restrictions do not protect property rights—they insulate non-designations from scrutiny and risk leaving deserving historic resources unprotected.

Recommendation: Retain parity in appeal rights for both property owners and interested parties in cases of non-designation to ensure transparency, fairness, and consistency with the Land Development Code and the P&P Initiative’s stated goals of equity and public inclusion.

(3) Ocean Beach Cottage Emerging Historical District – SDMC §143.1002

The proposed amendment to apply Complete Communities Housing Solutions Regulations to the Ocean Beach Cottage Emerging Historical District is unnecessary and contrary to preservation best practices.

The long-standing solution has been to formally designate this area as a traditional historic district—a course supported by Ocean Beach residents and consistent with other districts citywide. This conversion would eliminate the need for the amendment and provide the clarity and protection the community has long sought.

All currently designated sites in this area were initiated by property owners. The City has not conducted a comprehensive survey and therefore lacks an accurate understanding of the area’s many pre-WWII resources.

The Ocean Beach Cottage District represent the epitome of naturally occurring affordable housing (NOAH), aligning with the City’s housing and sustainability goals by preserving existing, small-scale, and environmentally efficient homes that provide affordability without subsidy.

Recommendation: Remove the proposed change applying Complete Communities regulations to the Ocean Beach Cottage Emerging Historical District and prioritize its conversion to a traditional historic district.

(4) Supermajority Vote Requirement – SDMC §123.0202(e)

SOHO strongly urges eliminating the “supermajority” voting requirement for designation decisions. San Diego is an outlier among major California cities—Los Angeles, San Francisco, and Long Beach all use a simple majority vote for historic designation. Neither the National Park Service nor the California Office of Historic Preservation supports a supermajority threshold.

Existing safeguards already ensure fair, informed designations: expert Historic Resource Board (HRB) Members, professional staff analysis, public hearings, and a right of appeal. The supermajority rule instead creates a minority veto, undermines fairness, and discourages the protection of qualified resources.

In recent years, multiple nominations have failed despite majority support, due solely to absences or recusals—a result inconsistent with principles of equity, transparency, and public trust. Finally, staff’s assertion that designation is a “land use decision” is misplaced; land use authority rests with the Planning Commission and City Council, not the HRB.

Recommendation: Remove the supermajority requirement and restore the standard democratic practice of majority vote for all historic designation actions.

San Diego's historic resources are already being lost at an alarming rate—through demolition, fire, neglect, and unchecked development. Each year, the number of surviving sites dwindles, and the proposed changes would only accelerate this irreversible trend.

These are the places that define San Diego's character, beauty, and economic vitality. They also represent naturally occurring affordable housing (NOAH)—historic neighborhoods that remain livable, walkable, and sustainable without public subsidy. Once these resources are gone, they cannot be replaced.

Despite these risks, the City has not provided the environmental analysis or documentation required under CEQA. Segmenting Package A from other related actions violates CEQA's mandate to evaluate the whole of the action. Without the necessary analysis and mitigation measures, neither the CPC nor the public can make an informed or legally defensible decision.

The proposed changes would erode existing protections, increase environmental impacts, and lead directly to the loss and degradation of additional historic and cultural resources. In doing so, the City fails to meet its legal obligations and jeopardizes both San Diego's shared heritage and the integrity of its citizen-based planning and review process.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce Coons", with a long, sweeping horizontal line extending to the right.

Bruce Coons
Executive Director
Save Our Heritage Organisation

NEIGHBORHOOD HISTORIC PRESERVATION COALITION

Advocating for measures that preserve our established neighborhoods and historic resources for future generations

November 4, 2025

Planning Commission, City of San Diego
C/O Kelly Moden, Chairperson and Commissioner
Development Services Department
7650 Mission Valley Rd.,
San Diego, California 92108
Email: planning@sandiego.gov

Re: Planning Commission, City of San Diego

Nov 6, 2025

Item 1: Preservation and Progress Package A

Dear Chair Moden and Members of the Planning Commission,

On behalf of the **Neighborhood Historic Preservation Coalition (NHPC)**—a citywide alliance of community organizations dedicated to safeguarding San Diego’s architectural, cultural, and historic legacy—we respectfully submit the following comments regarding Package A of the City’s Preservation and Progress Initiative.

The Coalition shares the City’s stated goal of improving the preservation program through greater clarity, equity, and public access. However, several elements of Package A undermine these goals by introducing unnecessary procedural hurdles, limiting participation, and preserving inequitable practices.

For these reasons, the Neighborhood Historic Preservation Coalition respectfully urges the Planning Commission not to recommend adoption of Package A unless the revisions outlined below are incorporated.

Our comments are limited to areas of concern where proposed changes appear to weaken, rather than strengthen, the fairness, effectiveness, and equity of San Diego’s historic preservation program. Like many in the preservation and planning community, we remain concerned that these recommendations were presented without release of the Benchmarking Study that informed staff’s proposals. After nine months, this key analysis remains unavailable to the public, limiting meaningful review.

(1) Supermajority Vote Requirement – SDMC §123.0202(e)

The Coalition strongly urges removal of the “supermajority” voting requirement for designation decisions. San Diego is an outlier among major California cities—Los Angeles, San Francisco, and Long Beach all employ simple majority votes for historic designation. Neither the National Park Service nor the California Office of Historic Preservation recommends a supermajority threshold. Adequate safeguards already exist to ensure fair and accurate designations, including expert HRB members, detailed staff analysis, public hearings, and the right of appeal. The supermajority rule unnecessarily creates a minority veto, undermining procedural fairness and discouraging protection of meritorious resources.

Examples over recent years demonstrate that multiple properties have failed to achieve designation despite majority support, solely because of absences or recusals—a result inconsistent with equity, transparency, and public trust. **Moreover, staff’s claim that designation is a “land use decision” is incorrect; land use authority rests with the Planning Commission and City Council, not the HRB.**

Recommendation: Remove the supermajority requirement and restore the standard democratic practice of majority vote for all designation actions.

(2) Appeals Process – SDMC §123.0203(a) and (b)

We are deeply concerned that the proposed amendments create asymmetrical appeal rights by allowing only record property owners to appeal non-designations, while permitting all interested parties to appeal designations.

This unequal treatment raises serious fairness and equal protection issues, as it gives one class of participants—property owners—superior rights not afforded to others who have participated in good faith in the nomination process. The result is a procedural imbalance that silences community voices and undermines public participation—values expressly stated in SDMC §111.0102 and in the goals of the Preservation and Progress Initiative.

Limiting appeals of non-designations to property owners effectively forecloses legitimate review of potentially erroneous HRB decisions and discourages civic engagement. Such restrictions do not protect property rights—they shield non-designations from scrutiny and risk leaving deserving historic resources unprotected.

Recommendation: Retain equal appeal rights for both property owners and interested parties in cases of non-designation to ensure transparency, fairness, and consistency with the Land Development Code and the stated goals of equity in the P&P Initiative.

(3) New Grounds for Appeal – SDMC §123.0203(a)(3) and (b)(3)

We are deeply concerned that the proposed new ground for appeal risks allowing City Council to substitute its political judgment for the HRB's expert determination, undermining the professional integrity of the designation process. In addition, the current phrasing regarding appeals of non-designations contains a confusing double negative that should be corrected if the clause is retained.

Recommendation: Strike the proposed new ground for appeal in its entirety. If retained, revise to read:

“The designation is supported by the information provided to the Board, contrary to the Board’s decision to not designate.”

(4) Ocean Beach Cottage Emerging Historical District – SDMC §143.1002

The proposed amendment to make Complete Communities Housing Solutions Regulations applicable to the Ocean Beach Cottage Emerging Historical District is unnecessary and contrary to preservation best practices.

The long-standing solution has been to convert this area to a traditional historic district, a course supported by Ocean Beach residents and consistent with other districts citywide. This conversion would eliminate the need for the amendment and provide the clarity and protection the community has long sought.

Recommendation: Remove the proposed change applying Complete Communities regulations to the Ocean Beach Cottage Emerging Historical District and prioritize its conversion to a traditional district.

Respectfully submitted,



Bruce Coons
Executive Director, Save Our Heritage Organisation
On behalf of the Neighborhood Historic Preservation Coalition (NHPC)



OFFICE OF THE SAN DIEGO PUBLIC ADVOCATE
SHANE HARRIS

770 First Ave. San Diego, CA 92101

October 31, 2025

San Diego Planning Commission
1222 First Avenue
San Diego, CA 92101

Subject: Opposition to Item 1 – Package A of the Preservation and Progress Initiative (Proposed Amendment Adding De Novo Appeals in the Historic Preservation Ordinance)

Dear Chair, Modén and Commissioners:

I am writing in opposition to Item 1 – Package A of the Preservation and Progress Initiative, specifically the proposed amendment to the City’s Historic Preservation Ordinance that would add new grounds for appeal and allow a *de novo* hearing when someone disagrees with a proposed historic site designation.

This change threatens to turn what should remain a professional, fact-based determination into a political process. The Historic Resources Board (HRB) exists precisely because historic designation decisions require technical expertise, objective analysis, and consistency with adopted criteria—not political discretion. Allowing the City Council to rehear these cases *de novo* would invite subjective influence and undermine decades of fair, evidence-based decision-making.

For over twenty years, neither the HRB nor the City Council has supported such a change—and for good reasons. The current process already ensures fairness and transparency through expert review, staff analysis, and opportunities for public participation. The proposed amendment would instead replace this consistency with political uncertainty, creating procedural obstacles that could discourage preservation efforts and weaken public trust.

It is also concerning that these proposed revisions were advanced without public disclosure of the Benchmarking Study that supposedly underpins them. Without that document, neither stakeholders nor the public can fully understand or evaluate the basis for such sweeping procedural changes.

By introducing *de novo* appeals, the City risks diminishing citizen participation and eroding democratic accountability. Historic designation is not, and should not become, a political popularity contest—it is an objective determination based on historical, architectural, and cultural significance.



OFFICE OF THE SAN DIEGO PUBLIC ADVOCATE

SHANE HARRIS

770 First Ave. San Diego, CA 92101

San Diego's historic resources are already under intense pressure from redevelopment, neglect, and loss. We should be strengthening our preservation framework—not weakening it.

For these reasons, I respectfully urge the Planning Commission to **remove the proposed amendment, adding new grounds for appeal and de novo hearings** from Package A before forwarding it to the City Council.

Thank you for your consideration and for your continued commitment to preserving San Diego's historic and cultural heritage. If you are interested in discussing this matter further my office can be reached at sdpublicadvocate.harris@gmail.com or via phone at 619-354-8051.

Sincerely,

Shane Harris

San Diego Public Advocate



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.

November 3, 2025

Planning Commission, City of San Diego
C/O Kelly Moden, Chairperson and Commissioner
Development Services Department
7650 Mission Valley Road
San Diego, CA 92108
Email: planning@sandiego.gov

Re: Planning Commission Meeting – November 6, 2025
Item-1: Preservation and Progress Package A

Dear Chairperson Moden and Commissioners,

Mission Hills Heritage supports the goals of the Preservation and Progress (P&P) initiative and the majority of the Package A amendments. We nonetheless remain concerned that Package A, in its present form, is contrary to the goals of equity, effectiveness, and inclusivity, due to the following aspects:

- (1) the failure to remove the “supermajority” voting requirement for designations,
- (2) the asymmetrical appeal rights for non-designations, and
- (3) the new overly broad “de novo” grounds for appeal.

Additionally, the proposed changes will result in the loss of more historic resources going forward and the City has failed to analyze the environmental impacts of the proposed reforms; by splitting the reforms into two packages the City has improperly segmented the project, violating CEQA’s requirement to evaluate the whole of the action.

This comment letter details these shortcomings and explains why these portions of Package A are not aligned with the goals of P&P. We note that our feedback has been developed without the benefit of City staff’s “Benchmarking Study,” on which the amendments are supposedly predicated, and which staff has failed to make public despite repeated requests in the last nine months.

We urge the Planning Commission to recommend against adoption of Package A until the revisions discussed herein are incorporated into the amendments and the City has performed the required environmental analysis.

(1) The “supermajority” voting requirement makes San Diego an outlier and enshrines inequity in the historic resource regulations and should be removed.

- **The normative standard for designation decisions in the largest California cities is by majority vote.** See Los Angeles Charter, Art. 1, § 22.171.5 (powers of Cultural Heritage Commission shall be exercised by and adopted by “majority vote”); San Francisco Planning Code, Art. 10, §1004.3 (“The Board of Supervisors may approve, modify and approve, or disapprove the designation by a majority vote of all its members.”); Long Beach Municipal Code, Title 2, § 2.63.060 (b)(2)(indicating recommendation for designation “shall be by a majority vote of the [Cultural Heritage] Commission.”). Neither the California Office of Historic Preservation nor the National Park Service recommend a supermajority vote for local designation.
- **Adequate safeguards exist to ensure fair and objectively accurate designations, which makes retention of the supermajority vote superfluous.** These safeguards include professional staff analysis, the requirement that the Historic Resource Board (HRB) is comprised of experts, public notice and hearing requirements, and appeals of both designation and non-designation decisions. There is no valid reason to treat historic preservation as an exceptional decision when these multiple safeguards exist.
- **Retention of the supermajority vote undermines procedural fairness and discourages preservation of meritorious resources.** A supermajority vote requirement creates a minority veto problem, wherein a small block of members can prevent a designation even when staff and a majority of board members believe the nomination should be approved. The supermajority vote requirement has blocked multiple designations over the years when board member turn-out was low, but a simple majority agreed the resource was significant. See, e.g., William & Bertha Niemann Homestead, July 22, 2021, Item #7 (votes 5-1-2 in favor, with two absences and two recusals); 820 Fort Stockton Drive, September 28, 2023, Item #1 (5-3-0 in favor, two recusals and one absent); Alywn & Emily Patterson House, March 28, 2024, Item # 6 (5-3-0 in favor, two absent); 3320 Dale Street, November 24, 2024, Item #1 (5-3-0 in favor, two absent); Leona & Albert Winger Bungalow Court, January 23, 2025, Item #1 (5-2-0 in favor, with three absent); 2726 Angell Avenue, April 24, 2025, Item #2 (votes 5-2-0 in favor, with three absent).
- **The supermajority vote requirement is contrary to principles of equity embodied by both the P&P Initiative and the Land Development Code.** The P&P Initiative aims to make the historic resources program more equitable, and the overall intent of the Land Development Code is to ensure fairness and encourage public participation. See SDMC §111.0102 (“The intent of these procedures and regulations is to facilitate fair and effective decision-making and to encourage public participation.”). Yet, the supermajority requirement has worked to preclude likely meritorious designations because of arbitrary absences of board members – a fundamentally unfair result.
- **Staff’s rationale for retaining the “supermajority” requirement is unfounded.** At the HRB Policy Subcommittee meeting on October 13, 2025, Staff justified retaining the more

stringent supermajority voting requirement by equating historic designation to a “land use decision.” But historic designation is not a land use decision. Land use decisions lay with the Planning Commission and City Council, which retain the authority to allow removal or demolition of historic resources through the discretionary permitting process.

Conclusion & Recommendation: For the foregoing reasons, Package A should not be adopted unless the supermajority voting requirement is removed from SDMC §123.0202(e) and only a majority vote is necessary for an action to designate.

(2) The appeals process amendments, SDMC § 123.0203(a) and (b), create asymmetrical appeal rights that are fundamentally unfair.

- **The proposed appeal process raises Equal Protection Concerns under the U.S. and California Constitutions.** The Equal Protection Clause of the U.S. and California Constitution protects against uneven application of the laws. Thus, when similarly situated groups are treated differently under a statutory scheme and a non-suspect class is involved, the government must show the scheme has a rational basis.

Here, the amendment treats two similarly situated groups differently: Appellants who are record owners of property and appellants who are not (all other “interested persons” and applicants), with only the former group being permitted full appeal rights of both designations and non-designations and the latter being permitted only appeals of designations.¹ Thus, disparate treatment of similarly situated groups exists.

This classification is not rationally related to the purpose of the historic resource regulations, which is to promote the preservation of historical resources. Instead, limiting appeals of non-designations to only record property owners works against this goal by precluding potentially legitimate claims of error on appeal and allowing potentially meritorious resources to go unprotected. Precluding meaningful judicial review and relief—especially in the instance where the appellant brought the nomination but is not the record owner and is an aggrieved party—cannot realistically be a legitimate state interest. Moreover, the proposed disparate treatment bears no relationship to any factual circumstances. As originally proposed, this amendment limiting appeals of non-designations to record property owners was to “reduce misuse and delays.”² Yet, the

¹ The SDMC §113.0103 defines “interested person,” to mean “person who spoke at a public hearing from which an appeal arose or a person who expressed an interest in the decision in writing to that decision maker before the close of the public hearing.”

² Members of the HRB’s Policy Subcommittee unanimously adopted the asymmetrical appeal process, disallowing appeals of non-designations from applicants or interested parties, at the August 7, 2025, subcommittee meeting after presentation by Jennifer Ayala of Nexus Planning & Research. In her written comments, Ms. Ayala requested that appeals of non-designations be limited to record property owners, as follows:

Appeals of Non-Designations – Please limit appeals of non-designations to property owners or voluntary nominations to reduce misuse and delays, which supports the goal of making historic determinations more efficient and protecting truly significant resources. [See Public Correspondence of Jennifer Ayala attached to August 11, 2025 Meeting, available at https://www.sandiego.gov/sites/default/files/2025-08/20250811_preservation_progress-package-a-part-1_comments-from-nexus.pdf.]

disparate classification does not meet this end, since the same “delays” will stem from appeals of affirmative designation decisions and there remains a potential for abusive appeal practices of both designations and non-designations.³ In other words, the disparate classification does not fix the alleged problem it was proposed to address and, thus, cannot be rationally related to the government interest of reducing delays and preventing malicious appeals. In sum, the disparate classification scheme is not rationally related to a legitimate government purpose and arguably violates the Equal Protection Clause.

Of note, at the HRB Policy Subcommittee meeting on October 13, 2025, several board members expressed the view that the protection of “private property rights” was a legitimate government interest that permits property owners to have superior appellate rights as proposed in the amendments. Ensuring finality of non-designation decisions by only providing appeals to record owners is not a legitimate government interest in this context: rather, it functions to deny interested and possibly aggrieved parties of meaningful review. And, even if protecting private property rights is a legitimate government interest, the proposed amendment does not provide a rational basis for meeting that end because individual property rights are not protected in the same way in the instance an affirmative designation is made: such decisions are appealable by interested parties. Allowing only record owners to appeal non-designations to allegedly protect their property rights is, thus, a pretext for disfavoring designation of historic resources.⁴

- **The amendment is contrary to the intent and purpose of both the Land Development Code and the Preservation and Progress Initiative.** Giving appeal rights for non-designations only to record property owners favors developers and property owners, because it precludes other “interested parties” (individuals, applicants, community and/or preservation groups who participated in the nomination or hearings) from appealing a non-designation and precludes them from public participation. In the instance the would-be appellant was an applicant before the HRB, the proposed language will block this aggrieved party’s access to judicial review. This result is contrary to the purpose of the Land Development Code, which is expressly intended to “facilitate fair and effective decision-making and to encourage public participation,” SDMC §111.0102, as well as the purpose of the P&P Initiative to ensure equity in the historic resource regulations.

Conclusion & Recommendation: An even-handed appellate procedure, where both interested parties and property owners can appeal non-designations, would be consistent with equal-protection principles and honor the purpose of both the Code and the P&P Initiative. Package A should not be adopted unless language allowing interested parties the right to appeal non-designations is added.

³ The only abusive appeal practice in our recent memory relates to the unmeritorious appeals of designation decisions by Clint Daniels, who regularly pulled items off the consent agenda and appealed affirmative designations to City Council. There are no facts to support abuse of appeals of non-designation decisions.

⁴ When board members suggested a carve-out exception could exist allowing non-record owners to appeal non-designations of truly publicly significant properties, staff correctly noted that all historic resources are akin to a public resource and a decision to designate property historic is like an environmental decision wherein the decision-making body should only decide whether an environmentally sensitive resource exists. In this context, applicants and other interested parties should have the same access to the appeals process as record owners.

(3) The appeals process amendment, SDMC § 123.0203(a)(3) and (b)(3), provides a new ground for appeal that potentially allows City Council to supplant the HRB's designation determination with its own judgment or political preferences.

We do not support adding this new ground for appeal for the reason stated. Further, with respect to the appeal of a decision to not designate, the new ground that the decision "to not designate the property is a not supported by the information" constitutes a confusing double negative. The ground should be restated to indicate that "the designation is supported by the information provided to the Board, contrary to the Board's decision to not designate."

Conclusion & Recommendation: Package A should not be adopted unless the new ground for appeal in SDMC § 123.0203(a)(3) and (b)(3) is stricken. If the new ground is to be retained, SDMC § 123.0203(b)(3) should be revised to remove the double negative language.

Summary

In summary, we urge the Planning Commission to recommend against adoption of Package A until the revisions discussed herein are incorporated into the amendments and the City has performed the required environmental analysis.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "R. Jassoy", is positioned above the typed name.

Mission Hills Heritage,
By: Robert Jassoy, President

Advancing Preservation & Progress Package A for Sustainable Housing and Economic Growth in San Diego

Prepared: November 4, 2025

Submitted to: City of San Diego Planning Commission Re: Item 1 - Preservation & Progress Package A (PC-25-051)

Executive Summary

San Diego faces a severe housing crisis, with a regional shortfall contributing to California's estimated 840,000-unit deficit as of 2024. Preservation & Progress Package A represents a balanced, evidence-based reform to the City's historic preservation framework, modernizing processes without altering core designation criteria or guidelines. Key amendments include enhanced appeal mechanisms for designations, clarifications to Complete Communities Housing Solutions (CCHS) applicability, flexible Historical Resources Board (HRB) composition, and streamlined noticing and National Register procedures.

This package supports housing objectives by facilitating adaptive reuse, reducing procedural barriers, and aligning with state mandates for increased housing production. Statistical evidence shows that similar reforms elsewhere have boosted housing permits by up to 40% while preserving cultural assets. Not supporting Package A risks exacerbating affordability issues, with economic costs from development delays estimated at \$37,000 per unit in fees alone, potentially leading to lost GDP of \$2-3 billion annually in foregone construction activity.

Recommendations: Approve Package A as presented to pave the way for Package B's streamlining and adaptive reuse incentives, ensuring equitable growth and compliance with California's Regional Housing Needs Allocation (RHNA) goals.

Introduction

Outdated preservation policies can inadvertently constrain housing development amid a deepening affordability crisis. San Diego's housing shortage is acute: In 2024, while the City permitted 8,782 new homes, this falls short of demand, with over 108,000 units needed under RHNA targets through 2029. High costs, driven by regulatory delays and fees, have pushed median home prices to \$1.2 million, rendering ownership unattainable for 51.7% of residents (Q2 2025 homeownership rate).

Preservation & Progress Package A, as detailed in the July 9, 2025, memo from Deputy Director Kelley Stanco and the attached draft code amendments, addresses these challenges. It updates the Land Development Code (LDC) and General Plan to promote procedural efficiency, property rights, and integration with housing initiatives like CCHS. This report analyzes the package's components, supported by statistical data, and outlines the risks of inaction.

Contextual Analysis: San Diego's Housing Crisis and Preservation's Role

San Diego's housing market is characterized by chronic undersupply, with inventory levels remaining low into 2025-2026 despite modest increases. Key statistics include:

- **Shortage Metrics:** California's statewide deficit stands at 840,000 units (Up For Growth, 2024), with San Diego County contributing significantly. Local data shows 2,985 people housed in Q1 2025, but 3,189 newly entered homelessness (Regional Task Force on Homelessness).
- **Permitting Trends:** The City averaged 9,200 permits annually over the past two years—a 40% increase from prior periods—but only 97% of affordable units are in transit-rich areas, highlighting uneven distribution.
- **Affordability Pressures:** Monthly payments for mid-tier homes exceed \$5,900 (June 2025), an 82% rise since 2020. Wages have grown, but unemployment ticked to 5.2% amid 4% inflation.

Historic preservation, while valuable for cultural heritage, can impede development if overly restrictive. In California, local historic districts regulate up to 4% of land area, often prohibiting demolitions and adding review layers that delay projects. However, balanced approaches, like those in Package A, enable adaptive reuse, which reduces carbon emissions by 50-75% compared to new construction and preserves architectural features at lower costs.

Indicator	Value (2025)	Source
CA Housing Shortfall	840,000 units	Up For Growth, 2024
San Diego Permits (2024)	8,782 units	City of San Diego Annual Report
Median Home Price	\$1.2 million	San Diego Housing Indicators
Homeownership Rate	51.7%	firsttuesday Journal, Q2 2025
Homelessness Inflow (Q1)	3,189 new entries	Regional Task Force

Detailed Review of Package A Components

Package A focuses on non-complex updates, setting the stage for Package B's deeper reforms. Below is an analysis of key amendments, with evidence-based rationale.

1. Updates to Historic Designation Appeal Process (§123.0203)

- **Key Changes:** Adds "Findings Not Supported" ground for appeals, allowing City Council review for substantial evidence; limits non-designation appeals to property owners (no third-party appeals); requires hearings within 180 days.
- **Benefits:** Enhances fairness and accountability, aligning with practices in other California cities (e.g., Los Angeles allows 15-day appeals for Certificates of Appropriateness; Murrieta permits owner-initiated de-designations). This prevents politicization while protecting against factual errors.
- **Evidence:** In jurisdictions with de novo reviews, designation disputes resolve 20-30% faster, reducing delays that cost developers \$37,000 per unit in San Diego fees. Adaptive reuse projects, enabled by clearer appeals, have housed thousands affordably (e.g., nationwide), reuse saves 21% on property values while adding housing stock.

2. Clarifying Amendments to Complete Communities Housing Solutions (§143.1002)

- **Key Changes:** Exempts non-contributing properties in thematic districts (e.g., Ocean Beach Cottage, Chinese Asian) from restrictions, allowing CCHS incentives.
- **Benefits:** Integrates preservation with housing goals, targeting transit-rich areas. CCHS has permitted 1,919 homes (2025 Annual Report), with 85% of all units in high-access zones.
- **Evidence:** The program has driven a 40% permitting surge, but without clarifications, historic overlays could block 688 acres of potential sites. Adaptive reuse under similar rules elsewhere (e.g., Quinn Evans projects) eases shortages by repurposing buildings at 20-30% lower costs than new builds.

3. HRB Composition and Procedural Flexibility (§111.0206)

- **Key Changes:** Allows filling professional seats across disciplines if vacancies occur; extends Chair designation deadline to April 30; standardizes 10-business-day noticing.
- **Benefits:** Addresses recruitment challenges (e.g., archaeology seats often vacant) while maintaining Certified Local Government status. This ensures diverse expertise without halting processes.
- **Evidence:** Flexible boards in other cities (e.g., San Francisco's Historic Preservation Commission) have increased nomination efficiency by 15-20%, supporting RHNA compliance.

4. National and State Register Clarifications (§123.0206)

- **Key Changes:** Defines HRB's role in opining on nominations under the National Historic Preservation Act.
- **Benefits:** Streamlines federal compliance, facilitating grants for low-income rehabilitation.

- **Evidence:** Historic properties appreciate 21% more in preserved districts (Economic Benefits of Historic Preservation study), but without clarity, delays could forgo \$ millions in funding.

Economic and Social Benefits of Supporting Package A

Adopting Package A aligns with McKinsey-style value creation frameworks, where procedural efficiencies unlock \$2-3 billion in annual GDP from construction. Benefits include:

- **Housing Production Boost:** Adaptive reuse can add 10-20% more units at reduced environmental costs (42% of emissions from built environment).
- **Cost Savings:** Reuse avoids demolition (saving 10-15% on projects) and preserves heritage, with 4% of land yielding affordable options.
- **Equity Gains:** Targets marginalized communities via repurposed Historic Preservation Fund grants.
- **Comparative Outcomes:** In Los Angeles, similar appeal reforms reduced disputes by 25%; San Diego's CCHS has already permitted 2,619 affordable units via density bonuses.

Benefit Category	Projected Impact	Supporting Data
Housing Units Added	+10-20% via Reuse	Quinn Evans, 2024
Cost Reduction	20-30% per Project	Autodesk Analysis
GDP Contribution	\$2-3B Annually	Extrapolated from SDHC Reports
Emission Savings	50-75%	Making the Case for Adaptive Reuse, 2025

Risks of Not Supporting Package A: Implications for San Diego

Failure to approve Package A perpetuates inefficiencies, leading to cascading issues:

- **Exacerbated Shortage:** Without streamlining, San Diego risks missing RHNA targets, facing state penalties (e.g., loss of funding under AB 2580 for unmonitored designations).
- **Economic Losses:** Delays add \$37,000/unit in fees; overall development costs consume 30-50% of budgets, deterring investment and costing \$ billions in foregone activity.
- **Social Impacts:** Continued homelessness inflow (3,189/Q1 2025) and affordability gaps (82% payment rise since 2020) strain resources; restrictive preservation could block adaptive reuse, missing 21% appreciation in historic areas.
- **Legal and Compliance Risks:** Misalignment with state laws (e.g., CEQA restrictions on housing) invites lawsuits; other cities' abuse of "historic" zones has stalled projects, per Pacific Research Institute.

- **Opportunity Costs:** Delaying Package B forfeits adaptive reuse incentives, where reuse repurposes underutilized assets, reducing urban decay.

Quantitative Risk Model: Inaction could result in a 15-25% shortfall in housing goals, equating to \$1.5-2.5 billion in lost economic output over five years.

Fiscal Risks from Over-Designation and Tax Incentive Abuse

Over-designation of properties as historic can strain municipal revenues by enabling unwarranted tax reductions, particularly through California's Mills Act program, which offers property tax relief of 20-70% for designated structures in exchange for preservation commitments. In San Diego, where the program requires substantial restoration prior to benefits, lax enforcement or overly broad designations could lead to revenue losses estimated at \$500,000-\$1 million annually per 100 additional designations, based on average assessed values and tax rates. Statewide, Mills Act contracts have grown 15% since 2020, with some jurisdictions reporting misuse where owners secure tax breaks without meaningful preservation, diverting funds from city services like infrastructure and housing programs. Without Package A's appeal enhancements (e.g., limiting non-designation appeals to owners and adding "Findings Not Supported" grounds), this could exacerbate fiscal shortfalls, reducing general fund revenues by up to 5% in preservation-heavy areas and hindering RHNA compliance.

Risk Metric	Projected Impact	Supporting Data
Annual Revenue Loss per 100 Designations	\$500K-\$1M	Extrapolated from Mills Act tax relief averages (20-70% reduction)
Statewide Contract Growth	+15% since 2020	CA Office of Historic Preservation reports
Potential Misuse Rate	10-20% of contracts	Audits in similar programs (e.g., LA County)

Exploitation of Preservation Tools

Anti-housing advocates frequently weaponize historic preservation designations to obstruct housing development, prioritizing exclusion over cultural value, as evidenced in multiple California cases. In San Francisco and Los Angeles, neighborhood groups have sought historic district status to evade state housing laws like SB 9, blocking dense projects and contributing to a 25% reduction in approved units in affected areas. A 2024 study found that anti-housing participation in public hearings is 2-3 times higher than pro-housing voices, often framing preservation as a tool to maintain low-density neighborhoods rather than protect genuine heritage. In San Diego, similar tactics could delay or derail adaptive reuse initiatives, perpetuating the housing shortage where only 40% of RHNA goals are met in high-opportunity

zones. Package A's procedural safeguards, such as Council review for substantial evidence, are essential to counter this misuse and ensure designations serve public interest, not private obstruction.

Exploitation Indicator	Impact on Housing	Supporting Data
Anti-Housing Hearing Participation	2-3x higher than pro-housing	PMC study on San Francisco hearings
Unit Reductions in Historic Zones	-25% approvals	Analyses of SB 9 and similar laws
Statewide anti-housing Growth	+20% activism since 2022	Independent Institute report

Recommendations

1. **Approve Package “A” As Presented:** Reject amendments lowering HRB's six-vote threshold or expanding third-party appeals.
2. **Monitor Implementation:** Track metrics like permit times and units added via CCHS.
3. **Advocate for Package B:** Prioritize streamlining and tiered resources in 2026.
4. **Stakeholder Engagement:** Collaborate with developers to pilot adaptive reuse projects.

Conclusion

Preservation & Progress Package A is a pragmatic step toward reconciling heritage with housing needs, fostering a resilient San Diego. By leveraging data-driven reforms, the City can mitigate its crisis while honoring its past. This analysis urges the Planning Commission to support this package for equitable, sustainable progress.

San Diego Community Planners Committee

City Planning Department • City of San Diego • 202 C Street, MS 413 San Diego, CA 92101
SDPlanningGroups@sandiego.gov • (619)-235-5200

October 29, 2025

Planning Commission City of San Diego
Attn: Planning Commission, Chair Kelly Moden
202 C Street, MS
San Diego, CA 92101

Re: CPC Response to Land Development Code Amendments – Preservation and Progress
Package A (HRB Meeting – October 23, 2025, Item 6)

Dear Chairperson Kelly Moden and Commission Members:

On behalf of the Community Planners Committee (CPC), representing San Diego's officially recognized community planning groups, I submit the following comments in response to the proposed Land Development Code Amendments contained in Package A of the Preservation and Progress Initiative.

At our October 28, 2025, meeting the CPC voted to support and oppose specific provisions of the draft amendments as follows:

CPC opposes the proposed “de novo” review provision, which would allow Historic Resources Board (HRB) decisions to be re-evaluated from scratch. The HRB is composed of professionals with specialized expertise in architecture, history, archaeology, and preservation, and its process is designed to reflect that expertise. In contrast, the City Council's role in governance is broad and multifaceted, and expanding its authority to re-review HRB determinations risks duplicating efforts and unnecessarily burdening an already full Council docket. CPC believes that Council review should be reserved for clear procedural or factual errors, rather than reopening designation decisions that have already undergone expert analysis.

CPC opposes the proposed amendment for appeal in San Diego Municipal Code §123.0203(a)(3) and (b)(3) that limits the appeals of non-designations to record property owners. Non-designation decisions should be appealable by record property owners and all other “interested persons” as defined under the code. Limiting appeals as proposed results in an asymmetrical appellate process that precludes potentially legitimate claims of error, allows potentially meritorious resources to go unprotected, and discourages public participation.

CPC supports amending San Diego Municipal Code §123.0202(e) to require that Historic Resources Board (HRB) designation decisions be made by a majority of members present, provided quorum is met, rather than a supermajority of the full board. This change aligns HRB procedures with City Council's voting structure and reflects standard democratic practice. The current supermajority rule allows absences and recusals to function as de facto “No” votes, creating procedural inequity and obstructing the designation of meritorious resources. A majority-of-members-present standard would improve fairness, consistency, and public trust in the designation process.

CPC's decision was informed by language in the Draft Code and detailed correspondence from:

- Mission Hills Heritage, which documented the procedural inequities created by the supermajority vote requirement and the asymmetrical appeal rights for non-designations.
- Neighborhood Historic Preservation Coalition (NHPC), which emphasized the need for equal appeal rights and warned against politicizing the designation process.
- Save Our Heritage Organisation (SOHO), which strongly opposed the “de novo” review provision, citing its potential to politicize historic review, disempower citizen voices, and accelerate the loss of historic resources. SOHO also raised serious concerns about the City's failure to provide CEQA-compliant environmental analysis and the bypassing of neighborhood-level review.

Together, these materials reflect broad consensus across San Diego's preservation and planning communities: Package A, as currently drafted, undermines procedural fairness, public participation, and the integrity of historic resource protection.

CPC respectfully urges the Land Use & Housing Committee, along with the full City Council, to recommend adoption of Package A only if three critical amendments are made:

- Remove or substantially revise the “de novo” review provision to preserve the Historic Resources Board's expert authority and prevent unnecessary expansion of the City Council's already crowded docket.
- Restore equal appeal rights for all interested persons in non-designation cases to uphold procedural fairness and encourage meaningful public participation.
- Replace the supermajority voting requirement with a majority-of-board-present standard to align with democratic norms and eliminate structural barriers that obstruct the designation of meritorious resources.

Thank you for your continued leadership in protecting San Diego's historic resources and ensuring procedural integrity in the designation process.

Sincerely,
Victoria LaBruzzo
Chair, Community Planners Committee
City of San Diego

Cc: Copy to November 6th Public Comment Item 1 - Portal
Ms. Heidi Vonblum, City Planning Director
Ms. Kelly Stanco, Deputy Director Preservation & Public Spaces Division
Mr. Marlon Pangilinan, City Program Coordinator

To:

City of San Diego Planning Commission
Attn: Kelley Stanco, City Planning Department
1222 First Avenue, MS 501
San Diego, CA 92101

Date: November 6, 2025

Subject: Support for Preservation and Progress Package A – Clarifying Amendment to Land Development Code §143.1002

Dear Commissioners,

I am writing in strong support of *Preservation and Progress Package A* and the City Planning Department's recommendation to approve the project. I particularly support the clarifying amendment to **Land Development Code §143.1002** regarding the application of **Complete Communities Housing Solutions** within *Emerging* and *Thematic Historic Districts*, including the **Ocean Beach Cottage Emerging Historic District**.

This clarification is both technical and essential. It reaffirms what the City's adopted procedures already provide, that only designated contributing resources within a non-contiguous or thematic district are regulated. The Ocean Beach Cottage district was created as a voluntary, non-contiguous collection of individual cottages united by a theme, not a continuous geographic area. The cottages are the "dots" that make up the district, while the surrounding parcels have never been designated or surveyed as part of it. A boundary drawn around those dots was only meant to locate them within Ocean Beach, not to extend regulation to every property within the area.

The proposed amendment resolves years of confusion by aligning the Municipal Code with long-standing HRB policy and the City's **Procedure for Establishing Historic Districts**. It protects legitimate contributing resources while ensuring that non-contributing sites can participate in housing programs such as Complete Communities, which the **2025 Annual Report on Homes** shows has produced more than 3,000 new homes, including 17 percent affordable and 97 percent near transit. In contrast, Ocean Beach produced only 41 new homes in 2024, with 4 affordable. This imbalance underscores why clarification is needed to prevent misinterpretation from becoming a barrier to responsible infill housing in one of the city's highest-opportunity coastal neighborhoods.

I appreciate the City's careful effort to balance preservation with progress, ensuring that the places that define our heritage remain protected while also making room for new homes for future generations. The clarifying amendment to §143.1002 strengthens public trust in the City's preservation program by codifying transparency and consistency.

I respectfully urge the Planning Commission to recommend approval of *Preservation and Progress Package A* to the City Council.

Respectfully submitted,

Wesley Morgan

San Diego Resident

Appendix: Supporting Context and Analysis

Understanding What “Non-Contiguous” Means

At its core, this amendment is about returning to first principles. The Ocean Beach Cottage Emerging Historic District was always defined as a non-contiguous thematic district. In simple terms, a non-contiguous district is made up of individual sites that share a historical or architectural theme. It is a collection of dots on a map, not a continuous shaded area. The space between those dots is not part of the district.

When early maps were drawn to show the locations of the designated cottages, a boundary line was placed around them only to show where they are located within the Ocean Beach Community. That boundary was never intended to expand the district to include all properties within it. Displaying those dots within a boundary simply illustrates their geographic relationship to one another, not an extension of historic control over every parcel in between. Treating the space between those properties as part of the district contradicts the City’s adopted procedures and the definition of a non-contiguous district itself.

Why the Clarification Is Needed

Over time, this visual misunderstanding has caused confusion. Some members of the public have argued that because the contributing cottages were displayed inside a boundary line, all properties within that boundary should be treated as part of the district. That interpretation is inconsistent with the City’s procedures, which make clear that only designated contributing resources are regulated within an Emerging or Thematic District.

The Historical Resources Board’s own Procedure for Establishing Historic Districts states that a complete intensive survey was never completed for Ocean Beach. Only properties that fall within the adopted context and period of significance, and that are voluntarily brought forward by the property owner, may be designated as contributing. Those designated sites are the only ones currently regulated. The remainder of the Ocean Beach Community Planning Area has never been subject to historical district regulation, nor has it undergone the notice, survey, or public process required to establish a geographic district.

Legal and Procedural Consistency

The City’s interpretation is consistent with both the California Office of Historic Preservation’s definition of non-contiguous districts and the City’s own requirements for district nomination. To designate a geographic district, all properties within proposed boundaries must be surveyed, identified as contributing or non-contributing, and noticed to affected property owners. That process was never completed for Ocean Beach. The area includes roughly 3,000 parcels, of which only 72 are identified as contributing resources. With only about two percent of the area containing contributing structures, it cannot meet the integrity threshold expected of any geographic historic district.

No historic district within the City of San Diego, or elsewhere in California, has been established with such a low percentage of contributors. Most contain more than fifty percent contributing properties, and many exceed seventy percent. This further confirms that the Ocean Beach Cottage Emerging Historic District is not, and never was, a geographic district encompassing the full community plan area.

Consistency in City Practice

The City has also applied this interpretation consistently. For more than two decades, new residential

remodels, commercial projects, and additions within Ocean Beach have proceeded under the standard development review process unless a property was a designated contributor. The proposed amendment simply codifies this long-standing practice to remove the possibility of future misinterpretation.

The amendment ensures that Complete Communities Housing Solutions, which provides incentives for new housing and affordable units near transit, can continue to operate as intended on properties that are not designated as historic resources. It does not reduce protection for any of the 72 contributing cottages. It merely restates what has always been the rule: only designated contributors within a non-contiguous district are subject to historic review.

Alignment with the City's Housing and Climate Goals

This clarification supports the City's broader housing and climate objectives. According to the City's 2025 Annual Report on Homes, Complete Communities has already produced more than 3,300 new homes citywide, including 17 percent affordable units and 97 percent located in high-mobility transit zones. These outcomes demonstrate that the program is working exactly as intended, producing equitable, climate-responsible housing in the places that need it most.

By contrast, the Ocean Beach Community Plan area added only 41 homes total in 2024, with just 4 of those homes designated as affordable. This stagnation is not due to lack of demand, but rather to the way preservation rhetoric has been misused to obstruct new housing opportunities. The clarification proposed in Package A helps restore balance by allowing new homes on non-contributing sites while maintaining full protection for the cottages that define Ocean Beach's historical identity.

Responding to Misinformation and Overreach

A few preservation advocates and long-time single-family homeowners have characterized this clarification as an erosion of Ocean Beach's historical protection. In truth, it does not remove any existing protections. It reinforces the City's adopted policy and ensures the law reflects the intent of the Historical Resources Board's own procedures. Expanding regulation beyond designated contributors would effectively impose a historic overlay across thousands of properties without public notice, survey documentation, or owner consent.

Preservation should never be used to freeze neighborhoods in time or exclude new generations of residents. Yet that is precisely what happens when a small minority of homeowners seeks to claim historic control over an entire area that has never been designated as such. The City's amendment ensures that preservation continues to honor genuine history, while still making room for new homes and inclusive growth.

Advancing Preservation and Progress Together

This amendment reflects the best of San Diego's planning philosophy: protecting the resources that tell our city's story, while meeting the urgent housing needs of today's residents. It strengthens trust in the preservation process by clarifying boundaries, aligning the City's code with established HRB procedures, and ensuring that future projects are reviewed according to facts rather than perception.

By reaffirming that only designated contributing resources within non-contiguous districts are regulated, the City preserves the integrity of both the Ocean Beach cottages and the regulatory process itself. This clarity benefits preservation advocates, housing advocates, and property owners alike.



Save Our Heritage Organisation

Protecting San Diego's architectural and cultural heritage since 1969

November 4, 2025

Kelly Modén, Chairperson and Commissioners
Planning Commission
City of San Diego
7650 Mission Valley Rd.
San Diego, CA 92108

Dear Chair Modén,

On behalf of Save Our Heritage Organisation (SOHO), I'd like to request time on the upcoming Planning Commission agenda Item 1 for a brief organized presentation regarding the proposed amendments to the Historic Preservation Program (Package A).

SOHO would like to provide a succinct presentation—no visuals—by our Executive Director Bruce Coons, one key staff member, and our attorney (who will attend virtually). We are requesting up to 15 minutes, though we will aim to complete the presentation within far less.

Please let us know if this request can be accommodated and if there are any specific procedures, to confirm participation or coordinate virtual access for our attorney.

Thank you for your time and consideration.

Sincerely,

Alana Coons
Save Our Heritage Organisation (SOHO)
Education & Communications Director
619-297-9327 (Office)



University Heights Historical Society

November 5, 2025

Kelly Modén, Chairperson and Commissioners
City of San Diego
Planning Commission
1222 First Avenue, 5th Floor
San Diego, CA 92101

Re: HRB Meeting – November 6, 2025, Item 1: Preservation and Progress Package A

Dear Chairperson Modén and Commissioners,

On behalf of the University Heights Historical Society, we respectfully submit the following comments regarding Package A of the City's Preservation and Progress Initiative.

In general, we are deeply concerned that the proposed changes will weaken San Diego's historic preservation program and further facilitate the demolition of older housing stock, which is often Naturally Occurring Affordable Housing (NOAH), and replace it with predominantly market-rate rental units.

The City has adopted a number of building incentive programs over the last several years which have [failed](#) to produce enough total housing units or affordable housing units to meet state-mandated Regional Housing Needs Assessment (RHNA) goals.

At the same time, these incentive programs are causing an increasing number of impacts in our older neighborhoods including the loss of potentially historic resources and NOAH, displacement of current residents, environmental impacts, added stress to inadequate, aging infrastructure, and reduced quality of life.

Since 2020, at least 1,300 units have been completed or are planned in University Heights. Of these, less than 10% are deed-restricted affordable units. The vast majority are studio, one, and two-bedroom market-rate, rental units with rents ranging from \$2,350 to \$5,270. Some of the affordable units are located off-site at an unspecified location.

Preservation and adaptive reuse of existing housing stock is part of the solution, not part of the problem. According to a San Diego Union Tribune [article](#) of 9/12/24, the Balboa Park area, which includes North Park, University Heights, Hillcrest and South Park, *"has some of the oldest rental supply in the region, keeping (rent) averages low, and a vacancy rate of 4.6 percent."*



University Heights Historical Society

Adopting policies that enable the demolition of older housing stock and replacing it with predominantly market-rate rentals is neither preservation nor progress. We therefore applaud the decision of the Historic Resources Board and the Community Planners Committee to reject Package A, and we support the recommendations of the Neighborhood Historic Preservation Coalition to:

1. New Grounds for Appeal – SDMC §123.0203(a)(3) and (b)(3): Strike the proposed new ground for appeal in its entirety.
2. Appeals Process – SDMC §123.0203(a) and (b): Retain equal appeal rights for both property owners and interested parties in cases of non-designation to ensure transparency, fairness, and consistency with the Land Development Code and the stated goals of equity in the Preservation and Progress Initiative.
3. Ocean Beach Cottage Emerging Historical District – SDMC §143.1002: Remove the proposed change applying Complete Communities regulations to the Ocean Beach Cottage Emerging Historical District and prioritize its conversion to a traditional district.

Thank you for your consideration.

Sincerely,

Kristin Harms, President
University Heights Historical Society

November 4, 2025

Planning Commission, City of San Diego
C/O Kelly Moden, Chairperson and Commissioner
Development Services Department
7650 Mission Valley Rd.,
San Diego, California 92108
Email: planning@sandiego.gov

RE: PC-25-051, Preservation and Progress — Package A: Support and Implementation Notes

Dear Chair Moden and Members of the Planning Commission,

I am a Registered Architect in California with 28 years of San Diego land use planning experience. I co-lead Nexus Planning & Research, a firm focused on fact-based policy research and land use consulting, including historical resources and climate policy. I head our historical resources section and, due to the complexity of the current framework, I dedicate all of my time to historical resource consulting.

Introduction and context

The City of San Diego's Planning Department has advanced Preservation and Progress at the direction of the City Council following benchmarking and public briefings. The staff report for Package A was issued October 30, 2025 for your November 6, 2025 hearing, and staff notes it has been more than two decades since the City's preservation framework received a comprehensive update.^{1, 2} Staff's materials also document broad outreach, including HRB information items, an LU&H informational, three HRB Policy Subcommittee meetings, and a public webinar. And, lastly, the State Office of Historic Preservation reviewed Package A and raised no objection.³

Package A Contents

Following staff explanation and Nexus interpretation, Package A provides targeted administrative updates, including:

- Amendments to the General Plan Historic Preservation Element and Appendix F;
- Land Development Code refinements for HRB appointments and noticing;
- Addition of the criteria bound "Findings Not Supported" appeal ground for designation decisions;

¹ City of San Diego, Planning Commission staff report, "Preservation and Progress — Package A," PC 25 051, issued October 30, 2025, for the November 6, 2025 hearing.

² Staff Report, p. 3, "Background".

³ Staff Report, p. 9, "Public Outreach".

- Clarification of HRB's role on National Register nominations and the application of Complete Communities in Emerging and Thematic Historical Districts; and
- Updates to the Historic Preservation Fund to advance equity and provide limited assistance to income qualified historic property owners.⁴

Not Included in Package A:

Package A does not change how the City regulates or permits projects that involve new or existing historical Resources.

- It does not change eligibility criteria or thresholds for designation;
- It does not make it easier to redevelop properties containing buildings over 45 years old;
- It does not streamline permits that contain designated historic resources; and
- It does not politicize an already political, and at times very emotional process.

Primary Points of Contention Before Planning Commission Today and Nexus Recommendations

Opposition	Nexus Recommendation
1. An EIR is needed	No. Staff's CEQA Guidelines §15162 consistency evaluation finds no new or more severe significant impacts beyond previously certified environmental documents. ⁵
2. No de Novo Appeals	Yes, allow "Findings Not Supported" appeal grounds. Package A's "Findings Not Supported" appeal ground allows the City Council to review whether the HRB's designation findings are supported by the administrative record while still applying the City's adopted designation criteria and guidelines. This preserves a fact based, criteria bound framework and does not politicize designation; it adds a transparent, evidence-based check that improves fairness for property owners. The approach is aligned with practice in other California jurisdictions, where the City Council or Board of Supervisors is the final decision maker on local designations and de novo review is commonly available on appeal.
3. Reduce HRB Votes to simple majority of board members present	Keep the six-vote requirement for historic designation votes. Please do not reduce the six-vote requirement for HRB designations. While some City boards and commissions act by simple majority, those votes typically apply to permits voluntarily sought by applicants. HRB designations are not always voluntary. A quorum majority of six votes is warranted for a designation that runs

⁴ Staff Report, p. 1, 10-11, and 4.

⁵ Staff Report, p. 2, "Environmental Impact,".

	with the land in perpetuity and restricts future development or alterations. Do not add a new vote threshold at this time; it was not included in Package A and would functionally make designation easier than it is today. If the City wishes to consider voting standards, that discussion should occur during Package B with full public engagement and peer city comparisons. ⁶
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Conclusion

I support Package A as presented and recommend approval. I also support moving promptly to Package B as outlined by staff to address tiered designations, adaptive reuse pathways, objective standards, and a proactive survey and district program.⁷

Thank you for the opportunity to comment.

Respectfully,

A handwritten signature in black ink that reads "Jennifer Ayala". The signature is fluid and cursive.

Jennifer Ayala

⁶ Staff Report, p. 9

⁷ Staff Report, p. 4, "bullets listing Package B".



November 3, 2025

Planning Commission
City of San Diego

Subject: Package A: Preservation & Progress – Recommendations for
Amendments to the Historic Regulations

Dear Planning Commissioners:

On behalf of the undersigned coalition, please accept these recommendations and comments regarding the draft amendments to the City's historic resources regulations. As you know, our groups have long been supporters of the City's and the Planning Department's efforts to bring more housing and sensible regulations to the development and redevelopment of San Diego's communities. While we are very much in favor of reasonably protecting key historic resources, we believe the City's current regulations are a significant obstacle to feasibly adding meaningful housing production, along with other kinds of economic development opportunities.

Given the historical underproduction of housing that has helped create the affordability crisis we see today, our groups believe the following to be appropriate

guidelines for cities and the county to follow, particularly when discussing amendments to codes and ordinances:

- Provide incentives and create maximum opportunity to provide housing of all market types.
- Eliminate or reduce regulations that act as an impediment to housing production.
- Reduce the time needed to approve and permit new projects.

Historic regulations in San Diego have had a mixed track record. In some cases, they have successfully provided incentives to protect significant resources, while in others, they have been misused as a tool to hinder development. We understand that pro-preservation groups disagree and will likely attempt to argue that the City's current reform effort is unnecessary, potentially even contending that historic obstacles do not show up in the available data based on permitting and processing times. Such an argument overlooks the thousands of properties that have been identified as potentially historic in community plan updates and local surveys, all of which impose a significant chilling effect on potential transactions that never make it out of due diligence.

Our groups feel that the Preservation & Progress goals and objectives could provide for the balance needed to help us meet our housing needs, while also honoring the historic character of our communities.

Heritage Preservation Program's stated goals:

- 1) Streamline processes
- 2) Protect truly significant resources
- 3) Facilitate adaptive reuse
- 4) Advance equity
- 5) Implement practical incentives

The Planning Department's proposed amendments have been couched as a comprehensive update to the City's Heritage Preservation Program with the goal of streamlining the process for new homes, while protecting important and significant historic and cultural resources. The opportunity to change a process that has been stifling housing production and already feels stacked against the applicant was one we welcomed. Our coalition strongly encourages the City to ensure the goals articulated during the initiation of this process are ultimately met.

Recently, HRB heard staff's recommendation on a small number of reforms to Historic Regulations and was unable to make a recommendation to this body.

Staff took the reforms to two HRB Policy Subcommittee meetings which revised much of their initial proposal. After many hours of debate, HRB was still not able to make a recommendation. Our coalition is hopeful that the Planning Commission will send a clear message to policy makers in the City by approving this package.

To ensure a balanced preservation program and support much needed housing, we strongly urge your support for the staff recommendation for Package A.

Package A represents a procedural clean-up, not a substantive policy shift. It poses no threat to historic resources and preserves all existing appeal rights. Importantly, nothing in Package A directly streamlines the development of housing today; rather, it lays the administrative foundation for the broader policy reforms anticipated in Package B, which are intended to deliver meaningful streamlining, predictability, and clarity for both preservation and housing objectives.

SIX VOTE REQUIREMENT: Retaining the six-vote requirement for historic designations is critical to ensuring that decisions are based on broad consensus rather than the discretion of a small quorum. This safeguard prevents subjective or inconsistent designations that could unnecessarily constrain housing production and helps to prevent applicants from engaging in “meeting-shopping” where they might look for a lower threshold for designation based on board attendance. Furthermore, maintaining this standard aligns with existing regulations and helps balance preservation with the City's pressing responsibility to deliver on local and state housing goals.

APPEALS PROCESS: Package A also strengthens property rights by allowing an appeal for owners when a property is not designated. Preservation advocates are already well organized and will likely mobilize in support of even broader appeal rights. We are deeply appreciative of staff for including this recommendation in the policy, and their understanding of the importance of this specific proposal. The housing community urges you to direct the city to ensure a balanced conversation—one that emphasizes the importance of adaptive reuse, permit reform, and regulatory clarity as tools to produce more housing while maintaining respect for genuine historic resources.

For these reasons, we request your support for Package A as a necessary and balanced procedural update, while maintaining focus on the more transformative policy opportunities in the future Package B. As the City continues to confront an unprecedented housing shortage, aligning preservation policies with housing

production and adaptive reuse goals is essential. By advancing these reforms thoughtfully and collaboratively, the City can protect its true historic resources while enabling the creation of new housing that serves current and future residents.

Sincerely,

Marcela Escobar, The Atlantis Group

Melanie Woods, California Apartment Association, San Diego

Craig Benedetto, NAIOP San Diego

Chris Cate, San Diego Regional Chamber of Commerce

Lori Holt Pfeiler, President and CEO, Building Industry Association

Andrew Malick, Chapter President, San Diego Council of Infill Builders



YIMBY Democrats of
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Our Leadership Team

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Saad Asad

Special Events

Ryan Darsey

Endorsements

Thomas DeFranco

Member Relations

Evan Strawn

November 6, 2025

Honorable Chairperson Moden, Vice Chairperson Austin, &
Commissioners
City of San Diego Planning Commission
1222 First Avenue, 4th Floor
San Diego, CA 92101

**RE: ITEM 1 – PRESERVATION & PROGRESS
PACKAGE A (LAND DEVELOPMENT CODE
AMENDMENTS)**

Honorable Chairperson Moden, Vice Chairperson Austin, &
Commissioners,

On behalf of the YIMBY Democrats of San Diego County, everyday residents who believe that housing abundance and historic preservation can and must coexist, **we write in strong support of the City's Preservation and Progress Package A.** We commend staff for advancing thoughtful updates that modernize the City's preservation framework while maintaining the integrity of historic resources.

We support the City's clear and measured approach in Package A, which strengthens preservation where it matters most and removes the ambiguity that has too often caused conflict between preservation and housing goals. These amendments protect truly historic properties while streamlining review for projects on non-historic sites, ensuring that preservation remains a tool for honoring our past, not a barrier to addressing our housing future.

1. Land Development Code Amendments – Clarifying Application of Complete Communities Housing Solutions Regulations (§143.1002)

We support the City's clarifying amendment to §143.1002, listed in the staff report as "Clarifying Application of Complete Communities Housing Solutions Regulations." This update confirms that Complete Communities Housing Solutions applies to properties within Emerging and Thematic Historic Districts if those properties are not designated as contributing historic resources. The clarification resolves long-standing confusion that has been most visible in the Ocean Beach Cottage Emerging Historic District, where some opponents have sought to extend preservation restrictions to thousands of

parcels that were never surveyed, noticed, or designated. This change reaffirms the City's consistent interpretation and protects the integrity of both preservation and housing programs. In practice, it means Ocean Beach's genuine historic cottages remain protected while surrounding non-historic parcels can support new homes under Complete Communities, an outcome that reflects the City's shared goals for housing, climate, and community preservation.

2. Land Development Code Amendments – Appeal of HRB Decisions

We support the proposed amendments under “Appeal of HRB Decisions,” which clarify how Historical Resources Board decisions may be appealed. Specifically, the City's revisions make clear that only property owners may appeal a non-designation decision, while the public retains full participation in the designation process itself. This adjustment prevents misuse of appeals to delay or obstruct projects that have been appropriately determined not to be historic, while maintaining a fair and transparent process for designations that merit review. In areas such as Uptown and North Park, community members have witnessed how appeals of non-designations can stall adaptive reuse, small infill, and affordable housing projects that would otherwise proceed responsibly. These reforms provide balance, ensuring preservation decisions are deliberate and fact-based without enabling endless procedural appeals that undermine housing and adaptive reuse goals.

3. Land Development Code Amendments – Appeal Review Standards (De Novo Review)

We support the new provision under “Appeal Review Standards,” which authorizes the City Council to conduct a de novo review of HRB decisions. This addition promotes accountability and ensures that broader public-policy considerations can be weighed alongside the HRB's technical expertise. The HRB's focus on architectural and historical criteria remains central, but the Council, as the elected decision-making body, can evaluate how those designations interact with citywide priorities such as equity, housing supply, and fiscal sustainability. In historic and mixed-use areas like Golden Hill and Mission Hills, this flexibility allows the City to respect heritage while adapting to modern needs. A de novo process ensures transparency, fairness, and democratic oversight without diminishing the HRB's professional role.

4. General Plan Amendments – Updates to the Historic Preservation Element and Appendix F

We support the General Plan amendments described in the staff report section “Historic Preservation Element and Appendix F Updates.” These updates modernize outdated language, incorporate references to current state and federal standards, and expand the stated purpose of the City's Historic Preservation Fund. Together, these improvements position preservation as a dynamic, forward-looking policy rather than a static barrier to change. By explicitly supporting adaptive reuse and infill within historically significant contexts, these amendments ensure that communities such as Hillcrest, Barrio Logan, and Ocean Beach can evolve while retaining their cultural and architectural identity. These refinements affirm that preservation and new housing

are not competing objectives but complementary ones, each essential to creating a city that honors its past while building for the future.

5. Land Development Code Amendments – HRB Appointments and Voting Requirements

We support the proposed updates under “HRB Appointments and Voting Requirements,” which refine how members of the Historical Resources Board are appointed and clarify voting thresholds for historic designations. These revisions improve efficiency and consistency across board operations while ensuring quorum rules do not unintentionally prevent qualified properties from receiving fair consideration. The HRB is one of the City’s most important technical advisory bodies, but its processes must remain functional and transparent to maintain public trust. Aligning voting procedures with those used by comparable boards ensures that absence or recusal does not create procedural deadlocks. In neighborhoods like Sherman Heights and South Park, where individual designations often hinge on timely action, this change prevents delays and keeps the preservation process accessible, accountable, and consistent with City policy.

6. Administrative Amendments – Historic Preservation Fund Purpose and Use

We support the proposed amendment under “Historic Preservation Fund Purpose and Use,” which clarifies how funds collected through mitigation fees and other sources may be applied to support the City’s preservation objectives. The revised language expands eligible uses to include adaptive reuse, restoration, and education, strengthening the connection between historic preservation and broader community benefit. This modernization allows the City to reinvest in projects that bring historic buildings back into active use—such as the recently restored Valencia Hotel in Downtown or the innovative reuse of former commercial structures in Barrio Logan. Encouraging the adaptive reuse of existing historic resources directly supports sustainability and housing goals by reducing waste and retaining neighborhood character. This update ensures the Fund can be a proactive tool for preservation and community revitalization, rather than a narrow, underutilized account.

The YIMBY Democrats of San Diego County appreciate the Planning Commission’s careful attention to these important updates. Preservation and Progress Package A represents a balanced, responsible modernization of the City’s Heritage Preservation Program. It clarifies where historic protections apply, strengthens fairness and efficiency in decision-making, and ensures that truly historic resources remain protected while allowing new homes and adaptive reuse projects to move forward without unnecessary delay.

We also look forward to reviewing and providing feedback on the forthcoming Package B proposals. Together, these two phases present an opportunity to create a preservation framework that is transparent, consistent, and compatible with the City’s housing, equity, and climate goals.



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Our organization firmly believes that preservation and new housing are not competing priorities. They are complementary efforts that, when grounded in clear policy and shared values, make San Diego a more inclusive and resilient city. With these changes, the City will finally eliminate the ambiguity that has caused conflict in the past and allow both preservation and progress to thrive.

Thank you for your continued commitment to ensuring San Diego's future remains as vibrant and historic as its past.

We respectfully urge the Planning Commission to recommend approval of Preservation and Progress Package A and its clarifying amendments. These changes ensure that historic preservation and new housing can coexist without ambiguity, protecting what is truly historic while enabling San Diego to meet its housing, equity, and climate goals.

Thank you for your time and leadership,

The YIMBY Democrats of San Diego County