

City Planning Department

Preservation and Progress Information Item

Policy Subcommittee
July 14, 2025

Goals of Preservation and Progress



Advance equity in preservation and prioritize protection of resources important to BIPOC, LGBTQ+ and other historically marginalized communities.



Evaluate the Mills Act program to ensure the program is equitable and incentivizes the protection and restoration of important places in a fiscally responsible manner.



Identify and protect historical properties and districts that are important to the City's history and culture, with a focus on historic districts.



Reform permit processes to better encourage the adaptive reuse of historical buildings on their original sites.



Adopt design standards for historical properties and districts to provide clear, objective requirements and by-right approval for additions and new development.



Remove regulations that unnecessarily impact properties that lack historical or cultural importance.

Integrate Equity as a Core Value

Protect Important Places

Streamline Processes for New Homes

Preservation & Progress: Potential Updates

Package A (End of 2025)

- Developing educational materials and handouts
- Minor updates to the Historic Preservation Element of General Plan
- Repurposing HPF to provide preservation grants to low-income and traditionally marginalized communities
- Updating Mills Act Program to ensure equitable and fiscally sound implementation
- Amending Complete Communities regulations to clarify that thematic historic district boundaries are limited to contributing resources
- Consider updates to the designation appeal process, including addition of de novo finding and the ability to appeal properties not designated
- Streamline process for adaptive reuse of historic buildings consistent with the Standards
- Other clean-up items identified by staff

Package A: Board Appointments and Terms

SDMC Section 111.0206

- Change Deadline for Mayor to Appoint a Chair from April 15th to April 30th
- Adds that if a qualified volunteer cannot be found to fill one of the five professional seats, that seat may be filled by a second professional from one of the other four historic preservation-related disciplines. However, no more than two professional seats should be filled by professionals in the same historic preservation-related field.

Package A: Board Appointments and Terms

SDMC Section 111.0206

- (b) Appointment and Terms
- (1) The Historical Resources Board shall consist of 11 members, each appointed by the Mayor and subject to confirmation by the City Council. Each member shall serve a 2-year term without compensation and shall continue to serve until a successor is appointed. No member shall serve more than 4 consecutive terms. The members shall be appointed so that the terms of not more than 6 members will expire in any year. The expiration date of all terms of appointment shall be March 1. The Mayor may designate 1 member as Chairperson during March of each year. If the Mayor has not designated a chairperson by April ~~15~~30, the Board shall elect a Chairperson from among its members.
 - (2) At least one Board member shall be appointed from among professionals in each of the following five historic preservation-related disciplines as required to meet the “Certified Local Government” criteria of the State Office of Historic Preservation, as established by the National Historic Preservation Act: architecture, history, architectural history, archaeology, and landscape architecture. If a qualified volunteer cannot be found to fill one of the five professional seats, that seat may be filled by a second professional from one of the other four historic preservation-related disciplines. However, no more than two professional seats should be filled by professionals in the same historic preservation-related field. Other members appointed may have experience or background in law, real estate, engineering, general contracting, finance, planning, or fine arts and should reflect diverse neighborhood representation and have demonstrated a special interest in historical preservation. No more than three owners of *designated historical resources* shall serve at any time.

Package A: Noticing

SDMC Section 123.0202

- Clean-Up to Noticing Language to be Consistent with Other City Noticing Requirements
 - (b) Public Notice to Owner. ~~The owner of a property being considered for designation by the Historical Resources Board shall be notified~~ The City Manager shall mail the Notice of Public Hearing to the owner of the property being considered for designation at least 10 *business days* before the Board hearing. Notice to the owner shall contain information about the potential impacts of designation and a request to contact the Board's administrative staff regarding information for making a presentation to the Board on the proposed designation. No action shall be taken by the Board to designate a *historical resource* except at a public hearing that provides all interested parties an opportunity to be heard.

Package A: Historic Designation Appeals

SDMC Section 123.0203

- Adds Ability to Appeal Properties that Are Not Designated by HRB
- Adds Finding that Would Allow City Council to Reconsider the Designation Itself
- Aligns Appeal Filing Requirements with Other City Appeals
- Requires Appeals to be Docketed within 180 After Filing

Package A: Historic Designation Appeals

SDMC Section 123.0203

What Can Be Appealed

- Existing Language:
 - Only speaks to the Council's ability to "reject designation", which means only actions to designate may be appealed.
- Proposed Language
 - (b) A decision by the Historical Resources Board to designate or not to designate a property may be appealed to the City Council. All other actions of the Board are not appealable.

Package A: Historic Designation Appeals

SDMC Section 123.0203

Grounds for Appeal

- Current Findings to Appeal Designation by HRB:
 - The City Council may reject designation on the basis of factual errors in materials or information presented to the Board, violations of bylaws or hearing procedures by the Board or individual member, or presentation of new information
- Adds “Findings Not Supported” Finding, Consistent with Appeals of Development Permits

Package A: Historic Designation Appeals

SDMC Section 123.0203

Grounds for Appeal

Existing Process Two/Three Appeal Findings:

- (3) **Grounds for Appeal.** A Process Two decision may be appealed on any of the following grounds:
 - (A) **Factual Error.** The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate;
 - (B) **New Information.** New information is available to the *applicant* or the *interested person* that was not available through reasonable efforts or due diligence at the time of the decision;
 - (C) **Findings Not Supported.** The decision maker's stated *findings* to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
 - (D) **Conflicts.** The decision to approve, conditionally approve, or deny the permit is in conflict with a *land use plan*, a City Council policy, or the Municipal Code.

Proposed Historic Designation Appeal Findings:

- (c) A designation decision may be appealed on any of the following grounds:
 - (1) Factual Error. The materials or information provided to the Historical Resources Board at the designation hearing were inaccurate; or
 - (2) New Information. New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the designation hearing; or
 - (3) Findings Not Supported. The Board's stated findings to designate are not supported by the information provided to the Board; or
 - (4) Violation of bylaws. In making the designation decision, the Board or an individual member did not adhere to the Board's bylaws or hearing procedures.

Package A: Historic Designation Appeals

SDMC Section 123.0203

Appeal Filing Requirements

- Aligns Filing Requirements with Other City Appeal Processes
 - Consistent with Existing Process, Requires Appeal Grounds to be Identified, but Does Not Require Submittal of All Appeal Documentation
- (d) An application for an appeal shall be submitted to the City Clerk in writing and contain the following information:
- (1) The name, address, and telephone number of the person filing the appeal;
 - (2) The name of the *applicant*;
 - (3) The decision being appealed and the date of the decision;
 - (4) The specific grounds, clearly identified, upon which the appellant is filing the appeal. All grounds must be specified in the appeal. Any grounds not stated in the appeal will not be considered.

Package A: Historic Designation Appeals

SDMC Section 123.0203

Docketing Deadline

- Adds Deadline to Docket Appeal within 180 Days of Appeal Filing
- Currently No Deadline and Appeals Can Sit Indefinitely
- Other City Appeals Docketed within 60 Days

(~~b~~e) Upon the filing of the appeal, the City Clerk shall set the matter for public hearing ~~as soon as is practicable~~ no later than 180 calendar days after the date on which the application for an appeal is filed and shall give written notice to the property owner and the appellant of the time and date set for the hearing. At the public hearing on the appeal, the City Council may by resolution affirm, reverse, or modify the determination of the Board and shall make written *findings* in support of its decision.

Package A: Historic Designation Appeals

SDMC Section 123.0206

Clarification of Board Role in Reviewing National Register Nominations

- Clarifies roles consistent with National Historic Preservation Act and CLG roles and responsibilities.

State and National Register

- (a) As a Certified Local Government, the Historical Resources Board is required by Section 101(c)(2)(A) of the National Historic Preservation Act to opine on whether a property nominated for inclusion in the National Register of Historic Places meets the criteria for listing. Upon receipt of a request from the California Office of Historic Preservation, the Historical Resources Board shall review the nomination and provide a recommendation to the City Manager for conveyance to the State Historic Resources Commission consistent with the requirements of the National Historic Preservation Act.
- (b) If a nomination to the National Register of Historic Places or California Register of Historical Resources is prepared and submitted by the City of San Diego, the~~The~~ City Council shall consider endorsing the nomination of a *historical resource* for inclusion in the California Register of Historic Resources and the National Register of Historic Places upon recommendation of the Historical Resources Board.

Package A: Historic Designation Appeals

SDMC Section 143.1002

Clarification to Complete Communities Housing Solutions

- Clarifies that Complete Communities Housing Solutions is allowed on Non-Contributing Resources in Thematic and Emerging Historic Districts
- Consistent with District Procedures which state that only contributing resources are regulated.

- (b) The regulations in this Division shall not apply to the following types of *development*:
- (1) through (5) [No change in text]
 - (6) *Development* located within a designated *historical district* ~~or subject to the Old Town San Diego Planned District.~~, with the following exceptions:
 - (A) *Development* on properties that are not designated as contributing resources to the Ocean Beach Cottage Emerging Historical District;
and
 - (B) *Development* on properties that are not designated as contributing resources to the Chinese Asian Thematic Historical District.
 - (7) *Development* that is subject to the Old Town San Diego Planned District.

Preservation & Progress:

