



HISTORIC DISTRICT DESIGNATION

What is a Historic District?

A Historic District is a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are united historically, geographically, or aesthetically by plan or physical development and that have a special character, historical interest, cultural or aesthetic value, or that represents one or more architectural periods or styles in the history and development of the City.

In other words, a historic district is a geographically defined concentration of resources – typically buildings – that come together to collectively convey a shared significance under one or more of the City’s designation criteria. Individual buildings within the boundary of the historic district may or may not be significant in their own right, but much like pieces of a puzzle these properties come together to paint a picture and tell an important story about our City’s past.

How is it determined that an area is significant as a historic district?

In order for an area to be considered for designation as a historic district, an intensive-level survey and historic district nomination must be prepared. Nominations must provide the following elements:

- **Historic Context Statement**

Historic contexts are critical tools for understanding, identifying, evaluating, and protecting those resources which give each community its individual character and sense of place. Contexts typically are based on one or more themes, geographical areas, and periods of significance. They describe the broad patterns of historical development of a community or region that are represented by the physical development and character of the built environment. They also identify important associated property types, and establish eligibility criteria and integrity thresholds.

For a historic district nomination, the historic context statement will address the broader City-wide and community/neighborhood development up to the point in time where the district was first developed, as well as any relevant broader state or national trends, such as streetcar suburb development or the small house movement. The historic context will then address the historical development of the district itself, and how that relates to the broader context.

- **Statement of Significance**

Once the historical and/or architectural development of the district is placed into its proper context, the historic district is then evaluated under the City’s designation criteria A-E and a statement of significance is developed. A historic district need only meet one of the designation criteria to be found significant and designated.

- Criterion A

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



○ Criterion B

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

○ Criterion C

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

○ Criterion D

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

○ Criterion E

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

● **Period of Significance**

In addition to a statement of significance, a period of time that reflects the statement of significance must also be defined and justified. This is known as the period of significance.

● **Boundary Justification**

The defined geographic boundary must be based upon a shared relationship among the properties constituting the district, as established by the historic context and statement of significance.

● **Individual Site Surveys**

All properties within the district boundaries are surveyed, evaluated and identified as contributing resources and non-contributing resources. State of California Department of Parks and Recreation Forms (DPR-523 Forms) are provided for all properties within the District boundaries.

What are contributing and non-contributing resources or properties?

All properties within the boundary of a historic district are identified as either contributing or non-contributing resources. They are distinguished from one another as follows:

● **Contributing Resources:**

- Are built within the Period of Significance;
- Reflect the significance of the district and contribute to that significance as a piece of a larger whole;
- Retain sufficient integrity to convey the significance of the District (i.e. not too many changes or modifications);
- Are eligible for the direct benefits of designation (i.e. Mills Act); and
- Are not required to restore the property unless the property owner enters into a Mills Act Agreement, in which case the restoration work will be specifically identified prior to signing and recording the contract.

● **Non-Contributing Resources:**

- Are either built within the Period of Significance; or
- Do not retain sufficient integrity to convey the significance of the District (i.e. too many changes or modifications to convey the significance of the district).
- Are not eligible for the direct benefits of designation (i.e. Mills Act).

What is the process for an area to become a historic district?

In order for an area to be designated as a historic district, the City’s procedures for establishing a historic district requires the following steps:



- **Property Owner Workshop**

Invitations are mailed to the property owners of record to attend an informational workshop that covers what a historic district is, why the nominated historic district is significant, and the responsibilities and benefits of historic designation. Property owners will also learn whether their property is recommended for classification as a contributing or non-contributing resource.

- **Review by the Historical Resources Board’s Policy Subcommittee**

At an agendaized, public meeting the Historical Resources Board’s Policy Subcommittee reviews the proposed historic district boundary, historic context, statement of significance and period of significance and provides comment and feedback to City staff on the adequacy of the information and analysis.

- **Review by the Historical Resources Board**

The Historical Resources Board will review and consider the nomination at two public hearings that are directly noticed to the property owner of record. At the first hearing, the Board reviews and advises on the adequacy of the proposed historic district boundary, historic context, statement of significance and period of significance. The Board also begins the processing of classifying properties as contributing and non-contributing resources. At the second hearing, the Board takes action to designate the historic district and finalizes the classification of contributing and non-contributing resources.

Can the designation of a Historic District be appealed?

Yes. The HRB’s action to designate the Historic District, as well as the classification of Contributing Resources, is appealable to the City Council by an applicant or interested person. The appeal must be filed with the City Clerk within 10 business days of the Board’s action to designate. The findings to overturn a designation can be found in SDMC Section 123.0203(b).

How are properties in a designated historic district regulated?

Both contributing and non-contributing properties are regulated by the City, and improvements to both require review and approval by historic resources staff. This review process is discussed in the Development Services Department’s [Information Bulletin 581](#)¹. However, contributing and non-contributing resources are regulated differently, as follows:

- **Contributing Resources**

Receive a greater degree to regulation because they contribute to the significance of the district:

- All improvements and repair must comply with the U.S. Secretary of the Interior’s Standards.
- Maintenance of original materials, character and massing is important.
- Existing historic material, such as original windows and siding must be repaired and retained.
- Additions will be limited in size and location depending upon the specific building/resource.

- **Non-Contributing Resources**

Receive a far lesser degree of regulation because they do not contribute to the significance of the district:

- Preservation of original materials is not important, but compatibility with the character of the district is.
- Substantial alteration or even demolition may be approved.
- Any new construction or additions must be reviewed and approved to ensure that they do not adversely impact the district as a whole.

¹ <https://www.sandiego.gov/sites/default/files/dsdib581.pdf>



What are the U.S. Secretary of the Interior's Standards?

The U.S. Secretary of the Interior's Standards, specifically the Rehabilitation Standards, are 10 Standards used at all levels of government to guide proper treatment of historic resources. Detailed information regarding the Standards and their application are available online:

- <https://www.nps.gov/tps/standards/rehabilitation.htm>
- <https://www.nps.gov/tps/standards/rehabilitation/rehabilitation-guidelines.pdf>
- <https://www.nps.gov/tps/how-to-preserve/preservedocs/preservation-briefs/14Preserve-Brief-Additions.pdf>
- <https://www.nps.gov/tps/standards/rehabilitation/sustainability-guidelines.pdf>

Is my property contributing or non-contributing?

Contributing and non-contributing resources cannot be identified until the historic context, proposed boundary, statement of significance, period of significance and survey work is complete. If the nomination is prepared by someone other than the City, the nomination must be reviewed by City staff to verify the initial classification of contributing and non-contributing resources. However, it is important to note that any classification of a property as contributing or non-contributing is only preliminary until the HRB acts to designate the district and establish contributing and non-contributing properties. The Board's final action can differ from the recommendation of City staff.

What are the benefits of historic district designation? I have heard I could receive a tax break.

The indirect benefits for all properties include increased property values resulting from the desirable nature of historic districts, as well as preservation of community character. Direct benefits available to contributing resources include use of the State Historic Building Code, which provides some flexibility from building code requirements to all preservation of significant historic features; Conditional Use Permits to allow adaptive reuse of historic building; and the Mills Act, which provides a property tax reduction. In addition, the City is proposing new development incentives to allow for deviation from zoning regulations in order to achieve a project that complies with the Standards. Those new development incentives are anticipated to be adopted in the fall of 2017.

- **Mills Act Program**

The Mills Act Program agreement is a legal contract binding the owner of a designated historical resource to maintain the subject property consistent with the U.S. Secretary of the Interior's Standards, to provide visibility of the historical resource from the public right-of-way, and to improve or rehabilitate the property based on specific conditions included in the agreement. The agreement is recorded with the County which allows the Assessor to determine the property tax, based on a formula set in State Law that typically results in a substantial annual savings to the property owner. The average property tax savings ranges between 20 percent and 70 percent. This tax benefit, authorized by the State of California in Government Code Sections 50280-50290, has been available in the City since 1995 and is authorized by Council Policy 700-46. [More information is on the City's website](#)².

I don't want additional regulation of my property that comes with historic district designation. Can I opt out of the historic district?

The City's Historical District Policy and Historical Resources Regulations do not allow property owners to opt out of participation in a historic district. All properties are regulated either as contributing or non-contributing resources. While the District Policy does not specifically require support from a majority of property owners, such a level of support is highly desirable.

² <https://www.sandiego.gov/development-services/historical/faq/millsact>



What type of regulation is my property currently subject to, without a designated historic district in place?

Currently, under the City's Municipal Code all properties that are 45 years old or older are subject to review for impacts to historic resources when a building permit application is submitted. This review process is described in [Information Bulletin 580](#)³ on the City's website.

- **Most improvements to a property require a building permit.**

Most work done on a property requires a building permit, with limited exceptions as defined in San Diego Municipal Code (SDMC) Section [129.0203](#)⁴. All work not listed in Section 129.0203 requires a building permit. These exemptions are summarized below, but please refer to the code section for specific exemptions and requirements.

- Small accessory buildings 120 square feet or less (sheds, play structures, etc.)
- Walls, fences and retaining walls (within height limits)
- Above-grade water tanks, pools and spas (within certain parameters)
- Paving decks and platforms (not more than 30 inches above grade)
- Patio covers and awnings (within certain parameters)
- Temporary buildings
- Some interior remodeling
- Roof repair or replacement (when no structural elements are replaced)
- In-kind siding or other material repair totaling less than \$1,000 in materials and labor
- Window replacements within single family and duplex units (no change to opening or weather resistive exterior allowed)

- **Historic Review under SDMC Section 143.0212**

If improvements to a property require a permit, SDMC Section 143.0212 requires review of all permit applications impacting properties 45 years old or older to determine if the property is historically significant. The project applicant is required to submit photos and a copy of the Assessor's Building Record with their application.

- If the property appears eligible for individual designation under one or more designation criteria, the applicant is required to design a project consistent with the U.S. Secretary of the Interior's Standards or prepare a Historic Report that evaluates the property.
- If a Historic Report is submitted and the property may be eligible for designation, the property will be forwarded to the Historical Resources Board to consider designation of the property as an individual resource.

What if I still have questions?

Please contact Kelley Stanco, Senior Planner in the Historic Preservation Planning section at kstanco@sandiego.gov or 619.236.6545 for more information.

³ <https://www.sandiego.gov/sites/default/files/dsdib580.pdf>

⁴ <http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art09Division02.pdf>