



THE CITY OF SAN DIEGO

# Historical Resources Board

DATE ISSUED: January 14, 2011 REPORT NO. HRB-11-006

ATTENTION: Historical Resources Board  
Agenda of January 28, 2011

SUBJECT: **ITEM #7 – Certified Local Government Annual Report 2010**

APPLICANT: City of San Diego, City Planning & Community Investment Department

LOCATION: Citywide

DESCRIPTION: Consider the Draft Annual Report for transmittal to the State Office of Historic Preservation to meet the City's Certified Local Government (CLG) responsibilities and to the City Council to meet the Municipal Code Section 111.0206 (d)(7) requirements

## STAFF RECOMMENDATION

Direct staff to forward the Annual Report to the State Office of Historic Preservation and the San Diego City Council, or revise the Annual Report and forward as appropriate.

## BACKGROUND

This item is being brought before the Historical Resources Board in conjunction with the City's Certified Local Government (CLG) responsibilities. The Annual Report for 2010 also satisfies the requirement for an annual report to be transmitted from the HRB to the City Council in accordance with Land Development Code Section 111.0206(d)(7). One of the responsibilities of a CLG is to prepare an Annual Report for the State Office of Historic Preservation (OHP) summarizing the work of the Board during the reporting period. The report utilizes a standard format for all CLGs and requires an accounting of the Board and staff activities throughout the state's fiscal year (October 1, 2009 through September 30, 2010). Because Land Development



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Code Section 111.0206(d)(7) does not specify the period of time covered in the annual report to the City Council, staff is utilizing the state's reporting period for the Council report, as well.

## ANALYSIS

The attached document is a draft of the Annual Report that has been prepared by staff. Boardmembers should provide their insight and provide comment to staff regarding any additional information and issues that would be appropriate to include in the final Report. Section 111.0206(d)(7) of the Land Development Code also requires the transmittal of an annual report to the City Council. As in the past, staff will utilize the final CLG Annual Report to satisfy all reporting requirements.

The organization of the annual CLG report corresponds directly to the five CLG requirement areas: ordinance, commission, survey, public participation, and state requirements. In addition to this information, OHP requests a summary of local preservation programs. No changes to the City's certified historical resources regulations were made during this reporting period. The City Council has directed staff to bring forward an amendment to the certified ordinance to expand the findings under which the Council could overturn a historical resource designation on an appeal. The proposed amendment has been reviewed by OHP. We have started the public hearing process and expect the issue to be heard by the City Council in early 2011.

HRB activity has reduced slightly during this reporting period compared to past years. During the current reporting period, the HRB designated 37 new individually significant properties (compared to 49 during the previous reporting period and 44 during the 2008/2009 period). No new historic districts were designated during this reporting period; however staff continues to work with applicants on several pending district nominations, including the Dryden Historic District, the Mission Hills District Phase II, and the Inspiration Heights District. In addition, 12 new Mills Act contracts were completed during this period, compared to 59 new contracts in the last reporting period. This difference is due to the limited number of newly designated properties (October 2008 – December 2008) which were able to apply within the new Mills Act application period (January 2009 – March 2009) that was established along with a number of other reforms in 2008. Because the City processes contracts on a Calendar year schedule, these contracts were recorded at the end of calendar year 2009, which is part of this reporting period.

Over the past few years, the most critical preservation planning issue for the City had been development pressure within the City's older communities. While that pressure does remain, current, economic conditions have greatly slowed redevelopment and infill projects. Presently, the most critical preservation planning issue for the City is a lack of resources and funding to carry out all aspects of our preservation planning program. With severe financial constraints facing the City, historic resources staff is continually reevaluating historic preservation priorities and the section's work program, striving to make the most of limited resources. Functions that are critical to our role and responsibility as a CLG are a top priority. Historic context statements and reconnaissance surveys associated with active Community Plan Updates remain a high priority as well, and are consuming a considerable amount of staff time as resources for consultant contracting is limited.

The lack of a city-wide context and comprehensive survey has limited staff's ability to provide property owners with detailed information regarding the historical significance and development regulations applicable to their property. Additionally, the lack of a city-wide survey has generated concerns by the preservation community about the City's ability to protect and preserve potentially significant historical resources and has resulted in the erosion of contributing resources within potential historic districts. Another critical issue facing the historic preservation program is the public understanding of these constraints and of the historic preservation program in general. Staff continues public outreach and education efforts; such as, attendance at planning group meetings, workshops, and seminars in an effort to connect with and inform the public on issues related to our program.

The most successful incentive program continues to be the Mills Act. The use of the Design Assistance Subcommittee continues to be of great benefit to owners of designated sites. In July 2009, the City Council established the Historic Preservation Fund in response to General Plan policies for any and all potential grants, donations, fines, penalties, or other sources of funding for the purpose of historic preservation. The Comptroller was authorized to appropriate funds from the Historic Preservation Fund for the local preservation programs and incentives consistent with the General Plan. The Board's Policy Subcommittee is working to further develop the recommendations provided by the Incentives Ad Hoc Subcommittee in regard to expenditure of fund monies and other incentives such as transfer of development rights, use of variance and conditional use permit to support adaptive re-use of historic properties, and architectural assistance services to low and moderate income historic property owners.

The single accomplishment that has done the most to further preservation in our community this year was the completion of a context and reconnaissance level survey of the San Ysidro Community Planning Area. Aided by a CLG grant, the City worked with a consultant to address important historic themes and development patterns represented by the existing built environment and prepared a draft survey report. The survey will be used to prepare the historic preservation element of the updated community plan, putting forth specific goals and policies related to the identification and protection of historical resources within San Ysidro. A significant component of this survey effort will continue into the next reporting period with public outreach and participation in the final survey document.

Also, in conjunction with the 2008 reforms, City staff performed a comprehensive audit of the Mills Act program. Staff worked with the County Assessor to verify that each property receiving Mills Act benefits had a properly recorded agreement and that property owners were receiving appropriate benefits for all recorded agreements based on City and County records. Approximately 1,000 records were reviewed as part of this audit with fewer than 30 minor corrections needed. Two designated properties receiving benefits without a recorded agreement were identified and have been offered contracts. Additionally, one property with a recorded agreement was not receiving Mills Act benefits. This has been corrected by the County Assessor.

The following historic preservation goals have been identified for the 2011 reporting period:

1. Complete surveys and reports in support of the Uptown, North Park, and Greater Golden Hill community plan updates.
2. Complete the ordinance revisions proposed for designation appeals process.

3. Complete the pending Dryden North Park historic district submitted by the local neighborhood history group.
4. Develop and obtain City Council Approval of a programmatic approach to the expenditure of monies from the City's Historic Preservation Fund for use and activities which foster, promote and incentivize historic preservation.
5. Conduct 200 inspections of designated historic resources receiving Mills Act benefits and ensure compliance with the terms and conditions of the contracts.
6. Establish the City's CHRID and begin the process of transferring data and making it available to the public via the City's website.

CONCLUSION

Staff recommends that the Board review the information attached, provide input, and approve the report for transmittal to the State Office of Historic Preservation and the Mayor and City Council.



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Kelley Stanco  
Senior Planner



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Cathy Winterrowd  
Principal Planner/CLG Liaison

KS/cw

Attachment: Draft CLG Annual Report 2010 (without attachments)

**City of San Diego**

Report Prepared by: **Historical Resources Board and Staff**

Date of commission/board review: **January 28, 2010**

**Minimum Requirements for Certification**

**I. Enforce Appropriate State or Local Legislation for the Designation and Protection of Historic Properties.**

**A. Preservation Laws**

- What amendments or revisions, if any, are you considering to the certified ordinance? Please forward drafts or proposals. *(Pursuant to the CLG Agreement, OHP must have the opportunity to review and comment on ordinance changes prior to adoption. Changes that do not meet the CLG requirements could affect certification status.)*
- Provide an electronic link to your ordinance or appropriate section(s) of the municipal code.

No changes to the City's certified historical resources regulations were made during this reporting period. The City Council has directed staff to bring forward an amendment to the certified ordinance to expand the findings under which the Council could overturn a historical resource designation on an appeal. The proposed amendment has been reviewed by OHP. We have started the public hearing process and expect the issue to be heard by the City Council in early 2011.

The current ordinance can be found at the following links:

- <http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art03Division02.pdf>
- <http://docs.sandiego.gov/municode/MuniCodeChapter11/Ch11Art01Division02.pdf>
- <http://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division02.pdf>
- <http://docs.sandiego.gov/municode/MuniCodeChapter12/Ch12Art06Division05.pdf>

**B. New Local Landmark Designations (Comprehensive list of properties/districts designated under local ordinance)**

- What properties/districts have been locally designated (or de-designated) this past year? For districts, provide a list of resource contributors and noncontributors.

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No new districts have been designated or de-designated this reporting period. In addition, there has been no change in status to contributing and non-contributing properties within designated historic districts.

- Reminder, pursuant to California Government Code § 27288.2, “the county recorder shall record a certified resolution establishing an historical resources designation issued by the State Historical Resources Commission or a local agency, or unit thereof.” Have you done this?

The following properties have been designated during the reporting period. Resolutions have been recorded or are pending processing as stated in the chart below.

Property Name/Address	Date Designated/Removed	Date Recorded by County Recorder
John & Caroline Bostick House 2436 Presidio Drive	10/22/2009	12/4/2009
Francis & Dorothy Harvey House 5801 Adelaide Avenue	10/22/2009	12/4/2009
Helen Schnepf Spec House #1 3636 Herbert Street	10/22/2009	12/4/2009
Olmstead Building Company Spec House #1 4276 Trias Street	10/22/2009	12/4/2009
George & Alice Hazzard House 2900 6 <sup>th</sup> Avenue	11/20/2009	2/3/2010
Henry B. Jones House 4040 5 <sup>th</sup> Avenue	11/20/2009	<i>Appeal Pending</i>
Charles Jurman Building 1041-1047 University Avenue	11/20/2009	2/3/2010
James A. Wilson Spec House #1 1263 Silverado Street	11/20/2009	2/3/2010
M.B. & Ida Irvin/ Alexander Schreiber Spec House #1 4195 Stephens Street	1/28/2010	3/11/2010
Cecil Roper House 5147 Cape May Avenue	1/28/2010	3/11/2010
Sim Bruce Richards & The Janet Hopkins Richards House 3360 Harbor View Drive	1/28/2010	3/11/2010
Isaac Lyon Building & The Isaac Lyn Rental House 1479 J Street/ 360 15 <sup>th</sup> Street	1/28/2010	3/11/2010
Julia Wilson House 4410 Park Boulevard	2/26/2010	4/5/2010

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Della M. Ballard House 4220 Arden Way	2/26/2010	4/5/2010
Ralph Hurlburt/ Alexander Schreiber Spec House #2 3907 Hawk Street	2/26/2010	4/5/2010
Arthur & Caroline Dickerson House 3786 Albatross Street	2/26/2010	4/5/2010
Ralph H. Pratt House 3503 Jackdaw Street	2/26/2010	4/5/2010
Page Manor/ Walter Keller House 3580 Jennings Street	3/25/2010	5/4/2010
David O. Dryden Spec. House #1 3221 Homer Street	3/25/2010	5/4/2010
Quality Building and Securities Company Speculative House #1 3036 Elliott Street	3/25/2010	5/4/2010
Johnson's Wilshire Gas Station 4689 Market Street	4/22/2010	<i>Appeal Pending</i>
Wills & Jane Fletcher/ Ralph L. Frank and Milton Sessions House 575 San Gorgonio Street	4/22/2010	6/15/2010
Edward & Eleanor Mastin House 1891 Viking Way	4/22/2010	6/15/2010
Irving & Anna Brockett House 3725 Wellborn Street	5/27/2010	7/1/2010
P.Z. Lund Spec. House #1 4376 Proctor Place	5/27/2010	7/1/2010
Robert O. Peterson/ Russell Forester Residence 567 Gage Street	5/27/2010	7/1/2010
Henry L. Hier Spec House #1 1288 Silverado Street	6/24/2010	8/4/2010
Albert Eugene & Helen Riley House 5141 Marlborough Drive	6/24/2010	8/4/2010
Winslow R. Parsons Spec House #1 3520 28 <sup>th</sup> Street	6/24/2010	8/4/2010
George P. & Carrie Goodman Muchmore House 2825 B Street	7/22/2010	9/14/2010
Thomas J. & Maud B. Brownrigg House 3045 James Street	7/22/2010	9/14/2010

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Norman Kennedy House 716 La Canada	8/26/2010	Pending
Southern Building Company Spec. House #1 4632 Edgeware Road	8/26/2010	Pending
J.W. Harlan & Carl and Matilda Hays Spec House #1 4165 Rochester Road	9/23/2010	Pending
Dr. James & Leona Parker House 4637 Marlborough Drive	9/23/2010	Pending
Glenn A & Ruth Rick House 1439 Brookes Avenue	9/23/2010	Pending
Mattie Bearns House 1455 F Street	9/23/2010	Pending

### C. Historic Preservation Element/Plan

- If you address historic preservation in your general plan, is it in a separate historic preservation element or is it included in another element? Provide an electronic link to the historic preservation section(s) of the General Plan.
- Have you made any updates to your historic preservation plan or historic preservation element in your community's general plan? If you have, provide an electronic link.
- When will your next General Plan update occur?

The City of San Diego General Plan was updated in March 2008 and will not undergo another comprehensive update for 15 to 20 years. It includes a separate Historic Preservation Element that addresses the identification and preservation of historical resources and historic preservation education, benefits and incentives with specific policies intended to strengthen historic preservation planning, integrate historical resources in the larger planning process, foster government-to-government relationships with the Native American tribes of San Diego, designate and preserve historical resources for future generations, foster greater public participation and education in historic preservation, promote use of incentives and sponsorships to benefit historical resources, and increase opportunities for cultural tourism in San Diego. The General Plan can be found at the following link:

<http://www.sandiego.gov/planning/genplan/pdf/generalplan/adoptedhpelem.pdf>

### D. Review Responsibilities

#### D.1 Design Review/Certificates of Appropriateness

- Who takes responsibility for design review or Certificates of Appropriateness?
- Do all projects subject to design review go the commission, or are some reviewed at the staff level without commission review?



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- What is the threshold between staff-only review and full-commission review?

The City of San Diego has a three-tiered system of design review for historical sites. The HRB has authority for recommendations on projects that may have adverse impacts on historical resources. The Design Assistance Subcommittee of the HRB provides informal input to applicants and staff on projects affecting historical sites. Historical Resources staff reviews and approves minor modifications to historical sites that are consistent with the Secretary of the Interior's Standards. If staff approves a project as a minor modification or the Design Assistance Subcommittee's review concludes that a project is consistent with the Secretary of the Interior's Standards, the full HRB would not normally consider the project, although projects with major community interest may go forward to the full HRB for review.

### **D.2 California Environmental Quality Act**

- What is the role of the staff and commission in *providing input* to CEQA documents prepared for or by the local government?
- What is the role of the staff and commission in *reviewing* CEQA documents for projects that are proposed within the jurisdiction of the local government?

Historical Resources staff reviews all environmental documents for projects that may have an effect on a designated historical resource or on a potentially significant historical resource during the public review period. The final CEQA document for projects affecting designated historical resources is formally reviewed by the HRB in association with review of a site development permit for the substantial alteration of a historical resource. In this circumstance, the HRB makes a formal recommendation on the project and environmental document to the Planning Commission.

### **D.3 Section 106 of the National Historic Preservation Act**

- What is the role of the staff and commission in *providing input* to Section 106 documents prepared for or by; the local government?
- What is the role of the staff and commission in *reviewing* Section 106 documents for projects that are proposed within the jurisdiction of the local government?

The Section 106 consultation process is completed before the CEQA document is distributed for public review. The HRB reviews all of the information for projects on which they make a recommendation. The HRB along with its Policy Subcommittee and/or appointed ad hoc committees also participates in Section 106 consultations initiated by other agencies for federal projects affecting National Register eligible sites, including negotiations on any Programmatic Agreements.

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### **II. Establish an Adequate and Qualified Historic Preservation Review Commission by State or Local Legislation.**

#### **A. Commission Membership**

- Who are the current members (and alternates, if applicable)?
- Do they represent a professional discipline or do they represent a public role?
- What is their date of appointment and when does their appointment expire?
- What is their email address?
- Include resumes and Statement of Qualifications forms for all members. If you do not have two qualified professionals on your commission, why have the professional qualifications not been met and how is professional expertise being provided? If all positions are not currently filled, why is there a vacancy, and when will the position will be filled?

<b>Name</b>	<b>Discipline</b>	<b>Date Appointed</b>	<b>Date Appt. Expires</b>	<b>Email Address</b>
Salvador Aréchiga	Architect	01/28/2009	NA (Resigned)	sal.arechiga@gmail.com
Dr. Michael Baksh	Archaeologist	07/13/2010	03/01/2011	mgbaksh@aol.com
Priscilla Berge	Historian	11/14/2006	03/01/2011	paberge@cox.net
Alex Bethke	Historian	01/28/2009	03/01/2012	abethke03@gmail.com
Maria Curry	Historic Architect / Historic Preservation Planner	05/24/2004	03/01/2012	marucurry@yahoo.com
Gail Garbini	Landscape Architect	02/11/2008	03/01/2011	ggarbini@garbiniandgarbini.com
Ann Jarmusch	Architectural History/Fine Arts	11/12/2009	03/01/2012	annjarmusch@yahoo.com
John Lemmo	Law	02/11/2008	03/01/2010	jl@prcopio.com
Linda Marrone	Real Estate	10/28/2008	03/01/2011	lmarrone@san.rr.com
Abel Silvas	Native American/Californio Family Descendant	03/24/2003	03/01/2011	runninggrunion@juno.com
Dr. Ann Woods	Architectural History	11/12/2009	03/01/2011	awoods@sandiego.edu

Due to the resignation of Boardmember Aréchiga, the Architect position is currently vacant. We hope to fill this vacancy in early 2011. Resumes and Statements of Qualifications for all Boardmembers and Historical Resources staff are provided in Attachment 1.

#### **B. Commission Staff**

- Who are your current commission/CLG staff?
- What are their disciplines, and their dates of appointment/assignment?

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- Is the staff to your commission the same as your CLG coordinator?
- Include resumes and Statement of Qualifications forms for all new staff.
- If the position(s) is not currently filled, why is there a vacancy?

Name/Title	Discipline	Dept. Affiliation	Email Address
Bennur Koksuz Deputy Director (10/08 to 3/10)	Architecture; Urban Design	City Planning and Community Investment, Urban Form Division	<a href="mailto:bkoksuz@san Diego.gov">bkoksuz@san Diego.gov</a>
Cathy Winterrowd Principal Planner/CLG Coordinator/Liaison to HRB (12/05 to present)	History & Planning; Ethnography	City Planning and Community Investment, Urban Form Division	<a href="mailto:cwinterrowd@san Diego.gov">cwinterrowd@san Diego.gov</a>
Kelley Stanco (formerly Saunders) Senior Planner (3/06 to present)	History & Planning	City Planning and Community Investment, Urban Form Division Historical Resources Section	<a href="mailto:kstanco@san Diego.gov">kstanco@san Diego.gov</a>
Jennifer Hirsch Senior Planner (2/08 to 8/10)	Architectural History & Planning	City Planning and Community Investment, Urban Form Division Historical Resources Section	<a href="mailto:jhirsch@san Diego.gov">jhirsch@san Diego.gov</a>
Jodie Brown Senior Planner (2/08 to 3/10)	History & Planning	City Planning and Community Investment, Urban Form Division Historical Resources Section	<a href="mailto:jdbrown@san Diego.gov">jdbrown@san Diego.gov</a>
Tricia Olsen Associate Planner (7/07 to 2/10)	Architectural History & Planning	City Planning and Community Investment, Urban Form Division Historical Resources Section	<a href="mailto:tolsen@san Diego.gov">tolsen@san Diego.gov</a>
Jeffrey Oakley Associate Planner (2/10 to present)	Urban Planning	City Planning and Community Investment, Urban Form Division Historical Resources Section	<a href="mailto:joakley@san Diego.gov">joakley@san Diego.gov</a>
Shannon Anthony Board Secretary (3/08 to present)	Board Secretary	City Planning and Community Investment, Urban Form Division Historical Resources Section	<a href="mailto:santhony@san Diego.gov">santhony@san Diego.gov</a>
Nina Fain Deputy City Attorney (10/08 to present)	Deputy City Attorney	Office of the City Attorney Civil Division	<a href="mailto:nfain@san Diego.gov">nfain@san Diego.gov</a>

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### C. Attendance Record

- Please attach in chart form for each commissioner and staff member, the attendance records for meetings. Commissions are required to meet four times a year, at a minimum.

See Attachment 2 for Minutes of HRB meetings held during the reporting period

See Attachment 3 for Board Member and staff attendance records for meetings

### D. Training Received

- What training has each commissioner and staff member received, including descriptions and dates of training, duration of training, and training provider? Remember it is a CLG requirement is that all commissioners and staff to the commission attend at least one training program relevant to your commission each year. It is up to the CLG to determine the relevancy of the training.

Commissioner/Staff Name	Training Title & Description	Training Provider	Date
Board Members and Staff	Board and Staff Workshop to discuss : <ul style="list-style-type: none"> <li>• Role of the Board</li> <li>• Staff and Board Procedures and Ranch House Policy</li> </ul>	City Staff	Half-day workshop; March 12, 2010
Staff	Sustainability, Energy Efficiency and Historic Preservation Workshop	California Preservation Foundation (CPF) City of Riverside	Full-day workshop; June 30, 2010
Board Members and Staff	Sustainability Myths: How to Make Old Windows and Buildings New Again Workshop	California Preservation Foundation (CPF)	Half-day workshop; September 30, 2010

## **III. Maintain a System for the Survey and Inventory of Properties that Furthers the Purposes of the National Historic Preservation Act**

### A. Historical Contexts

- Have you initiated, researched, or developed any historic contexts? If you have, list and describe in several sentences each historic context, how it is being used, and the date submitted to OHP (California CLG procedures require CLGs to submit survey results including historic contexts, to OHP.) If you have not done so, submit a copy with this report.

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<b>Context Name</b>	<b>Description</b>	<b>How it is Being Used</b>	<b>Date Submitted</b>
Ocean Beach	A historic context is being prepared in conjunction with a Community Plan update for the Ocean Beach community. The context identifies themes significant in the community's development from a resort town to a thriving neighborhood and community.	The context and survey will inform the land use planning process.	December 2010, submitted with this report
Uptown	A new historic context with limited field work is being prepared in conjunction with a Community Plan update for the Uptown community. Themes identified included influence of the subdivision boom, streetcar development, suburbanization, and the automobile.	The context and limited field work will inform the land use planning process.	In Process Staff working to finalize draft context
Golden Hill	A historic context and reconnaissance survey are being prepared in conjunction with a Community Plan update for the Golden Hill community. The context focuses on the development of Golden Hill as one of the earliest residential districts located outside of downtown.	The context and survey will inform the land use planning process.	In Process Staff working on context; consultant will complete fieldwork
North Park	A historic context and reconnaissance survey are being prepared in conjunction with a Community Plan update for the North Park community.	The context and survey will inform the land use planning process.	In Process Consultant Under Contract
Old Town	A historic context and reconnaissance survey are being prepared in conjunction with a Community Plan update for the Old Town community.	The context and survey will inform the land use planning process.	In Process Consultant Under Contract
Midway	A historic context and reconnaissance survey are being prepared in conjunction with a Community Plan update for the Midway community.	The context and survey will inform the land use planning process.	In Process Consultant Under Contract
San Ysidro	A historic context and reconnaissance survey are being prepared in conjunction with a Community Plan update for the San Ysidro community. Themes identified will likely be based on the agricultural roots of the community as well as the relationship of the community to the border.	The context and survey will inform the land use planning process.	Complete October 2010 (CLG Grant)

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### B New Surveys (excluding those funded by OHP)

- Have you carried out any surveys or re-surveys? If you have, list the area surveyed, level (reconnaissance or intensive), acreage, number of properties surveyed, and the date you submitted the survey to OHP. (California CLG procedures require CLGs to submit survey results including historic contexts, to OHP.) If you have not done so, submit a copy with this report.
- Keep in mind that the evaluation of a single property is not a survey. Also, material changes to a property that is included in a survey, is not a change to the survey and should not be reported here.
- How are you using the survey data?

Area	Context Based- yes/no	Level: Reconnaissance or Intensive	Acreage	# of Properties Surveyed	Date Completed
North Park	Yes	Reconnaissance	Approx 1,466	Approx 6,500	In Progress Consultant Under Contract
Golden Hill	Yes	Reconnaissance	Approx 441	Approx 5,000	In Progress Consultant Under Contract
Old Town	Yes	Reconnaissance	Approx 285	Approx 234	In Progress Consultant Under Contract
Midway	Yes	Reconnaissance	Approx 902	Approx 613	In Progress Consultant Under Contract

### C. Changes to Inventories

- Have you made corrections to you inventory of historic properties, or have you identified any corrections that need to be made?
- If you have, what are the reasons for the changes (new information, alteration [approved/not approved], demolition [approved/not approved], etc.)?
- Have you changed the status codes of any properties in your inventory? Submit the changes with this report.

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<b>Property Name/Address</b>	<b>Additions/Deletions to Inventory</b>	<b>Changes to Status Codes</b>	<b>Reason</b>	<b>Date of Change</b>

The City's inventory of historic properties consists of our register of designated historic sites and the following completed or draft surveys.

- Draft Uptown Historic Architectural and Cultural Landscape Reconnaissance Survey (2007)
- East Village Combined Historical Surveys (2005)
- Downtown Warehouse Survey (2005)
- African-American Heritage Study (2004)
- Historic Site Inventory of the Core for CCDC (1989, 2002)
- Mid-City Survey (1995/1996)
- Uptown Cultural Resource Inventory (1993)
- Barrio Logan Redevelopment Area Historic and Urban Resource Inventory (1990)
- Barrio Logan Historical Resources Survey (2010)
- San Ysidro Historic Resources Survey (1989; updated in 2010)
- La Jolla – A Historical Inventory (1977)

These surveys are on file in the City Planning & Community Investment Department and, although most are more than five years old, are consulted by staff in reviewing projects and may be used as a starting point in preparing intensive surveys for establishing historic districts. Properties are reviewed individually for designation potential as part of the project review process. It is anticipated that completion and adoption of reconnaissance level surveys that are currently underway or anticipated in the new future in conjunction with Community Plan Updates will allow the City to generate an inventory of historic properties to use in the planning process and in the evaluation of a property's historical significance.

**IV. Provide for Adequate Public Participation in the Local Historic Preservation Program**

**A. Public Education**

- What public outreach, training, or publications programs have you undertaken? Please provide copy of (or an electronic link) all publications or other products not previously provided to OHP.

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Item or Event	Description	Date
Potential Historical Resource Review – Public Working Group	The Potential Historical Resource Review (SDMC 143.0212) requires that staff determine if a potentially significant historical resource exists on site prior to the approval of a construction or development permit. A working group led by Historical Resources staff and comprised of individuals from local community planning groups and historical organizations participates in this review process by providing input to staff on the history and potential significance of a property under the adopted HRB criteria, prior to staff approving a project.	Ongoing
Individual meetings with historic property owners	To review the potential for historic designation. Initial design review for projects involving designated historic resources and potential historic resources. To review specific conditions and responsibilities of property owners with new Mills Act Agreements.	Ongoing
Community Planning Group Historical Resources Training Session	City-sponsored training for interested members of community planning groups on the City's historical resources program and regulations. Specific topics included identification and treatment of historical resources, designation criteria and common architectural styles found in San Diego, responsibilities and benefits of historic property ownership, historic contexts, and use of historic surveys in the community plan update (planning) process.	October 29, 2009
Uptown, North Park and Golden Hill community cluster meeting	Staff and historic survey consultant provided background information, preliminary historic context themes, and approach for historic survey component of all three community plan updates.	March 20, 2010
UCSD Extension “Site Analysis: Development Opportunities and Constraints”	Staff was a guest lecturer for a discussion about site planning related to historical and cultural resources. Identification, treatment, and mitigation of impacts under CEQA and NEPA were explained along with a review of other relevant local, State and Federal regulations and guidelines.	April 5, 2010; and September 30, 2010
Balboa Park Committee of 100	Staff presented the history of the Balboa Park designation as a National Historic Landmark and what that means for the treatment and preservation of the district.	May 18, 2010
Golden Hill, North Park and Uptown Historical Resources Open House	Staff presented an update on the historic context and survey work to each community group. Community members were encouraged to share their knowledge and recommendations related to potential historic districts, individual sites and conservation areas.	June 22, 28 and 30, 2010
Burlingame Historic District Homeowners Association	Staff met with the Association to answer questions related to contributing and non-contributing resources, treatment standards for properties within the District, the Mills Act program, and other general questions about the City's historic preservation program.	July 14, 2010
UCSD Extension “Planning & Communications in Urban Development”	Staff was a guest lecturer for a discussion focusing on effective communication involving planning issues related to the environment, sustainability, conservation and historic preservation. The focus was on engaging the public in the process and on communicating issues effectively to decision makers.	July 26, 2010

**In addition to the minimum CLG requirements, OHP is interested in a Summary of Local Preservation Programs**



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What is the current status of preservation in your community? What are the most critical preservation planning issues?

The City's historic preservation program continues to be an active, vital aspect of the City's planning activities, and remains an area of great interest to many property owners and community members in the City's oldest areas. There is a strong and vocal public constituency that takes an active interest in preservation and preservation planning issues. These groups speak out at various public hearings in support of historic preservation, and are active in both community planning groups and neighborhood preservation groups. There also remains strong political interest in and support of historic preservation on the part of both the Mayor and City Council.

Over the past few years, the most critical preservation planning issue for the City had been development pressure within the City's older communities. While that pressure does remain, current economic conditions have greatly slowed redevelopment and infill projects. Presently, the most critical preservation planning issue for the City is a lack of resources and funding to carry out all aspects of our preservation planning program. With severe financial constraints facing the City, historic resources staff is continually reevaluating historic preservation priorities and the section's work program, striving to make the most of limited resources. Functions that are critical to our role and responsibility as a CLG are a top priority. Historic context statements and reconnaissance surveys associated with active Community Plan Updates remain a high priority as well, and are consuming a considerable amount of staff time as resources for consultant contracting is limited.

The lack of a city-wide context and comprehensive survey has limited staff's ability to provide property owners with detailed information regarding the historical significance and development regulations applicable to their property. Additionally, the lack of a city-wide survey has generated concerns by the preservation community about the City's ability to protect and preserve potentially significant historical resources and has resulted in the erosion of contributing resources within potential historic districts.

Another critical issue facing the historic preservation program is the public understanding of these constraints and of the historic preservation program in general. Staff continues public outreach and education efforts; such as, attendance at planning group meetings, workshops, and seminars in an effort to connect with and inform the public on issues related to our program.

What is the single accomplishment of your local government this year that has done the most to further preservation in your community?

The City of San Diego completed a context and reconnaissance level survey of the San Ysidro Community Planning Area during this reporting period. Aided by a CLG grant, the City worked with a consultant to address important historic themes and development patterns represented by the existing built environment and prepared a draft survey report. The survey will be used to prepare the historic preservation element of the updated community plan, putting forth specific goals and policies related to the

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identification and protection of historical resources within San Ysidro. A significant component of this survey effort will continue into the next reporting period with public outreach and participation in the final survey document.

In conjunction with the 2008 reforms, City staff performed a comprehensive audit of the Mills Act program. Staff worked with the County Assessor to verify that each property receiving Mills Act benefits had a properly recorded agreement and that property owners were receiving appropriate benefits for all recorded agreements based on City and County records. Approximately 1,000 records were reviewed as part of this audit with fewer than 30 minor corrections needed. Two designated properties receiving benefits without a recorded agreement were identified and have been offered contracts. Additionally, one property with a recorded agreement was not receiving Mills Act benefits. This has been corrected by the County Assessor.

What incentives are you providing for historic preservation in your community, e.g., loan or grant programs, property tax reduction, zoning variances, etc.? What programs are you offering, what is the public utilizing, and how successful are the programs in promoting historic preservation? Please provide a brief overview narrative.

The most successful incentive program continues to be the Mills Act. The use of the Design Assistance Subcommittee continues to be of great benefit to owners of designated sites. In July 2009, the City Council established the Historic Preservation Fund in response to General Plan policies for any and all potential grants, donations, fines, penalties, or other sources of funding for the purpose of historic preservation. The Comptroller was authorized to appropriate funds from the Historic Preservation Fund for the local preservation programs and incentives consistent with the General Plan. The Board's Policy Subcommittee is working to further develop the recommendations provided by the Incentives Ad Hoc Subcommittee in regard to expenditure of fund monies and other incentives such as transfer of development rights, use of variance and conditional use permit to support adaptive re-use of historic properties, and architectural assistance services to low and moderate income historic property owners.

<b>Name or Type of Incentive Program</b>	<b>How many properties have benefited?</b>
Mills Act Property Tax Reduction	12 new contracts recorded during the reporting period
Design Assistance Subcommittee Project Review	12 docketed items

What recognition are you providing for successful preservation projects or programs?

In May of each year the City's Historical Resources Board recognizes individuals, groups, businesses and agencies who contribute to the preservation and advancement of San Diego's unique history and heritage. The Board recognizes achievements in the categories of Agency, Archaeology, Architectural Reconstruction, Architectural Rehabilitation, Architectural Restoration, Community History, Cultural Diversity, Cultural Landscape, History, Individual Accomplishment, and Preservation Advancement.

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Nominations are accepted from Boardmembers, staff and members of the public from approximately February to April of each year. The Board's Policy Subcommittee then selects a recipient in each category from the nominations received. The award recipients are recognized at the annual awards ceremony in May, where they receive Awards of Excellence and commendations from their respective City Councilmember. Additionally, during the last two weeks of May, posters and photographs, brochures, and exhibits are displayed in the lobby of the City Administration Building to highlight historic preservation in San Diego. This display coincides with the annual awards celebration.

How did you meet or not meet the goals identified in your annual report for last year?

1. Revise the City's Historic District Policy to remove confusing and conflicting language, reduce the number of district types, align district significance with the adopted designation criteria, and provide better guidance to the HRB, staff and the public regarding the processing and designation of historic districts. **THIS GOAL HAS BEEN PUT ON HOLD DUE TO REDUCED STAFFING**

Revisions to the City's Historic District Policy will include a new Council Policy on the establishment of historic districts, as well as a Historical Resources Board procedure for their establishment. This process requires extensive public hearings, including the Historical Resources Board Policy Subcommittee, the Historical Resources Board, the Planning Commission, the City Council's Land Use & Housing Committee and the full City Council. This goal was not completed during the current reporting period and is currently on hold.

2. Complete the ordinance revisions proposed for designation appeals process. **IN PROCESS**

This goal is expected to be completed in the early part of 2011. Public meetings and hearings were held between January and June 2009, to consider a proposed amendment to the City's appeal process to broaden the circumstances under which the City Council may overturn a designation by the Historical Resources Board. Currently, the grounds for appeal are defined in the Code and are limited to factual errors presented to the Board, violations of Board procedures, and new information. The proposed amendment would add a fourth basis that the findings used to designate a property are not supported by the facts presented to the Board. OHP reviewed the proposal in April 2009 and sent an email stating support for the Board's recommendation to maintain the current process. The Report to the Planning Commission dated June 18, 2009 can be found at the following link: <http://www.sandiego.gov/planning-commission/pcreports/2009/pdf/09048.pdf>. It includes a summary of the issues related to the amendment, various recommendations, and the proposed strikeout/underline ordinance amendment.

3. Complete the pending Dryden North Park historic district submitted by the local neighborhood history group. **IN PROCESS**

Staff began review of the Dryden North Park historic district in 2008 and 2009, at which time staff worked with the applicants on revisions to the nomination. Processing of the nomination was placed on hold in late 2009 and 2010 to allow the historic

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resource consultant working on the context statement and survey for North Park to provide input on the proposed district within the larger context of the larger North Park community. That input has been received, and staff has resumed processing the nomination. Staff anticipates completion of the nomination process and designation of the district in May 2011.

4. Begin reconnaissance survey work associated with Community Plan Updates in Uptown, North Park, Greater Golden Hill, Midway, Old Town, San Ysidro, and Skyline/Paradise Hills. **GOAL MET**
5. Develop and bring forward additional incentives for historic preservation through the work of the Incentives Ad-Hoc Subcommittee and staff, including a Transfer of Development Rights (TDR) program and variances for deviations from base zone regulations to facilitate preservation of historic resources. **THIS GOAL HAS BEEN PUT ON HOLD DUE TO REDUCED STAFFING**
6. *Develop and obtain City Council Approval of a programmatic approach to the expenditure of monies from the City's Historic Preservation Fund for use and activities which foster, promote and incentivize historic preservation.* **IN PROCESS**
7. Begin development of City-wide design guidelines for designated historic districts. **THIS GOAL HAS BEEN PUT ON HOLD DUE TO REDUCED STAFFING**
8. Update the Historical Resources section website to provide better, more readily accessible and current information on the City's preservation program. **GOAL MET**
9. Establish the City's CHRID and begin the process of transferring data and making it available to the public via the City's website. **GOAL PARTIALLY MET/IN-PROCESS**
10. Conduct 200 inspections of designated historic resources receiving Mills Act benefits and ensure compliance with the terms and conditions of the contract. **GOAL MET**

What are our local historic preservation goals for 2010-2011?

1. Complete surveys and reports in support of the Uptown, North Park, and Greater Golden Hill community plan updates.
2. Complete the ordinance revisions proposed for designation appeals process.
3. Complete the pending Dryden North Park historic district submitted by the local neighborhood history group.

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4. Develop and obtain City Council Approval of a programmatic approach to the expenditure of monies from the City's Historic Preservation Fund for use and activities which foster, promote and incentivize historic preservation.
5. Conduct 200 inspections of designated historic resources receiving Mills Act benefits and ensure compliance with the terms and conditions of the contract.
6. Establish the City's CHRID and begin the process of transferring data and making it available to the public via the City's website.

So that we may better serve you in the future, are there specific areas and/or issues with which you could use technical assistance from OHP? In what subject areas would you like to see training provided by the OHP? How you like would to see the training conducted (workshops, online, technical assistance bulletins, etc.)?

Our staff would be interested in training related to identification and preservation of historical resources from the recent past.

Would you be willing to host a training working workshop in cooperation with OHP?

Unfortunately, due to highly limited financial resources, the City of San Diego will not be able to host a workshop in the 2011 reporting period. However, we would be interested in providing training in a different format such as a podcast or PowerPoint presentation that can be made available on the City's website.

### **XII Attachments**

Resumes and Statement of Qualifications forms for **all** commission members/alternatives and staff  
Minutes from commission meetings  
Attendance records of commissioners and staff  
Electronic link to historic preservation ordinance/section of municipal code  
Electronic link to historic preservation section(s) of the General Plan  
Ocean Beach Historic Context

**Article 1: General Rules and Authority**

**Division 2: Land Development Authorities and Advisory Boards**

*(“Applications” repealed 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

*(“Land Development Authorities and Advisory Boards”*

*added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

*(“Consolidation of Processing” repealed and “Board of Zoning Appeals” added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

*(“Board of Zoning Appeals” repealed 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)*

**§111.0201 City Council**

The authority of the City Council to conduct its activities is established by California law and the City Charter. The process for appointment and the terms of the City Council members are provided in Municipal Code, Chapter 2, Article 7 (Election Code).

*(“Preapplication Conference” repealed and “City Council” added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§111.0202 Planning Commission**

The authority of the Planning Commission to conduct its activities, the process for appointment, and the terms of its members are provided in the City Charter, Section 41.(c).

*(“Application Process” repealed and “Planning Commission” added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§111.0204 Hearing Officer**

(a) Authority. The City Manager may designate a staff member to serve as a Hearing Officer. The Hearing Officer shall preside at a public hearing and make an impartial decision on a permit, map, or other matter based on the application, written reports prepared prior to the hearing, and information received at the hearing.

(b) Appointment and Terms. The City Manager will determine whom to appoint and the length of time the person will serve as a decision maker.

(c) Powers and Duties. A Hearing Officer may act as the decision maker for permits, maps, or other matters in accordance with the decision-making procedures of the Land Development Code.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§111.0205 City Staff**

- (a) Authority. The City Manager may designate a staff member to make an impartial decision, without a public hearing, on a permit, map, or other matter in accordance with the decision-making procedures of the Land Development Code.
- (b) Appointment and Terms. The City Manager will determine whom to appoint and the length of time the staff member will serve as a decision maker.
- (c) Powers and Duties. Designated City staff will act as the decision maker to decide permits, maps, or other matters in accordance with the decision-making procedures of the Land Development Code.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§111.0206 Historical Resources Board**

- (a) Authority. The Historical Resources Board has been established by the City Council in accordance with the City Charter, Section 43.
- (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, 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 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. 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.

- (c) Meetings. The Historical Resources Board shall meet at least once a month or as often as necessary for the transaction of its business. The meetings shall be noticed and open to the public. The Board shall adopt procedural rules and policies, consistent with law, for the conduct of its business. The Board shall keep minutes of all meetings including voting records, attendance, resolutions, findings, determinations, and decisions. A quorum for the transaction of business shall be comprised of six members of the Board. An affirmative vote of at least six members is required for designation of a *historical resource*. An affirmative vote of a majority of the members present is required for any other action by the Board.
  
- (d) Powers and Duties. The powers and duties of the Historical Resources Board are as follows:
  - (1) To identify and designate *historical resources* for preservation in accordance with the designation process described in Chapter 12, Article 3, Division 2 (Designation of Historical Resources Procedures).
  - (2) To review and make a recommendation to the appropriate decision-making authority on applications for *development permits* involving *designated historical resources* in accordance with the decision-making procedures of the Land Development Code.
  - (3) To adopt specific guidelines for designating *historical resources* and to identify specific areas that may be exempt from the requirement for a site-specific survey in accordance with Section 143.0212(a).
  - (4) To adopt standards and guidelines to be used by the Board in reviewing applications for *development permits* involving *designated historical resources*.
  - (5) To compile and maintain an up-to-date register of *designated historical resources*. A description of the resource and the reasons for designation shall be included in the register.
  - (6) To recommend to the City Council that the City Manager apply for, receive, or expend any federal, state, or private grant, grant-in-aid, gift, or bequest and to make recommendations to the City Council regarding the acceptance of any grant, gift, or other interest relative to property located in the City in furtherance of the general purposes of historical preservation.
  - (7) To prepare an annual report to the Mayor and City Council on the activities, decisions, and other work of the Board.



- (8) To perform any other functions consistent with the purpose of the Board or any functions that may be requested by resolution or direction of the City Council, including promoting educational programs pertaining to *historical resources* and investigating and reporting to the City Council on the use of various federal, state, local, or private funding sources and mechanisms available to promote *historical resource* preservation.
- (9) To establish criteria and provide for an *historical resources* inventory of properties within the City and recommend to the City Council and Planning Commission procedures to use the *historical resource* inventory results in the planning process.
- (10) To provide information and guidance, at the request of property owners or tenants, on the financial and physical aspects of the restoration, alteration, rehabilitation, landscaping, or maintenance of any *designated historical resource*.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)  
(Amended 8-6-2006 by O-19526 N.S.; effective 9-5-2006.)

**§111.0207 Board of Building Appeals and Advisors**

- (a) Authority. The Board of Building Appeals and Advisors is established by the City Council in accordance with the City Charter, Section 43.
- (b) Appointment and Terms
  - (1) The Board of Building Appeals and Advisors shall consist of 10 members 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 four consecutive terms. The members shall be appointed so that the terms of not more than five members will expire in any year. The Board shall elect a chairperson annually from among its members, unless a chairperson is selected by the Mayor.
  - (2) Members shall have experience and training in matters of design and construction of buildings, fire prevention, and fire protection. At least two members shall be licensed by the State of California as Civil Engineers, one of whom is duly authorized to use the title “Structural Engineer,” and one member each shall be from the electrical and mechanical industries or professions. At least two members shall be licensed by the State of California as Fire Protection Engineers. At least one member shall be licensed by the State of California as an

Architect. At least one member shall represent the disabled community.

- (3) The Building Official, the Chief of the Fire Department, and the City Attorney shall be ex officio members of the Board. The Planning Director shall be an ex officio member of the Board in matters pertaining to *Historical Buildings*.
- (c) Meetings. The Board of Building Appeals and Advisors shall meet as often as necessary for the transaction of its business. The meetings shall be noticed and open to the public. The Board shall adopt procedural rules and policies consistent with law for the conduct of its business. Five members shall constitute a quorum. The affirmative vote of at least four members is required for any action by the Board. The Board shall make its recommendations in writing to the Building Official.
- (d) Powers and Duties. The powers and duties of the Board of Building Appeals and Advisors are as follows:
  - (1) The Board of Building Appeals and Advisors shall investigate and advise the Building Official on the suitability of any alternate material, design, or construction method. This action may be taken on the Board's own motion, at the request of a permit applicant, or as requested by the City Manager, the Building Official, the Fire Chief, or the Historical Resources Board.
  - (2) The Board of Building Appeals and Advisors shall recommend reasonable interpretations of the Building, Electrical, Plumbing, and Mechanical Regulations, the provisions of Title 24 of the California Code of Regulations and other matters that may be referred to the Board by the Building Official. The Board shall have no authority to recommend interpretations of other provisions of the Land Development Code.
  - (3) The Board of Building Appeals and Advisors may recommend minor deviations from the provisions of the Building, Electrical, Plumbing, and Mechanical Regulations in the following circumstances:
    - (A) When strict application, operation, or enforcement would result in practical difficulty or unnecessary hardship; and

- (B) When for the purpose intended, the alternate materials or type of construction proposed is at least equivalent to the requirements of the applicable Building, Electrical, Plumbing, or Mechanical Regulations in quality, strength, effectiveness, fire resistance, and durability, and is equivalent in providing for the public health and safety.
- (4) The Board of Building Appeals and Advisors may conduct public hearings upon the passage of new legislation pertaining to the design and construction of buildings and provide its recommendations to the City Council.  
*(Amended 9-24-2002 by O-19102 N.S.)*  
*(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)*

**§111.0208 Board of Engineering Appeals and Advisors**

- (a) Authority. The Board of Engineering Appeals and Advisors has been established by the City Council in accordance with the City Charter, Section 43, to advise the City Engineer, the City Manager, and the City Council on matters pertaining to the design and construction of public facilities and land development.
- (b) Appointment and Terms
  - (1) The Board of Engineering Appeals and Advisors shall consist of nine members 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 four consecutive terms. The members shall be appointed so that the terms of not more than five members will expire in any year. The Board shall elect a chairperson from among its members.
  - (2) The Board of Engineering Appeals and Advisors shall be composed of the following:
    - (A) A civil engineer in private practice in the City of San Diego;
    - (B) A land surveyor in private practice in the City of San Diego;
    - (C) A geotechnical engineer in private practice in the City of San Diego;

- (D) An engineering geologist in private practice in the City of San Diego;
- (E) A landscape architect in private practice in the City of San Diego;
- (F) An architect in private practice in the City of San Diego;
- (G) A licensed contractor in business in the City of San Diego who is actively engaged in land development operations;
- (H) A builder-developer in business in the City of San Diego who is actively engaged in land development and building operations;
- (I) A representative of an officially recognized community planning group; and
- (J) The City Engineer, the Building Official, and the City Attorney, or their designated representatives, shall be *ex officio* members of the Board. The Planning Director shall be an *ex officio* member of the Board in matters pertaining to *historical buildings*.

(c) Meetings

- (1) The Board of Engineering Appeals and Advisors shall meet as often as necessary for the transaction of its business. The meetings shall be noticed and open to the public. The Board shall adopt procedural rules and policies consistent with law for the conduct of its business. Five members shall constitute a quorum. The affirmative vote of at least four members is required for any action by the Board.
- (2) The Board shall make its *findings* and recommendations in writing to the City Engineer.

(d) Powers and Duties. The powers and duties of the Board of Engineering Appeals and Advisors are as follows:

- (1) The Board of Engineering Appeals and Advisors shall investigate and advise the City Engineer on the suitability of alternate materials and types of construction. This action may be taken on the Board's own motion, at the request of a permit *applicant*, or as requested by the City Manager, the City Engineer, the Building Official, or the Historical Resources Board.

- (2) The Board of Engineering Appeals and Advisors shall recommend reasonable interpretations of the *Subdivision Map Act*, the engineering standards established in the Land Development Manual, and other matters that may be referred to the Board by the City Engineer. The Board shall have no authority to make recommendations on interpretations of other provisions of the Land Development Code.
- (3) The Board of Engineering Appeals and Advisors may review and make recommendations on establishment or revision of standards in the Land Development Manual for design and construction of public facilities and *grading*.
- (4) The Board of Engineering Appeals and Advisors may conduct public hearings upon the passage of new legislation pertaining to *grading* and the design and construction of public facilities, and may provide its recommendations to the City Council.  
*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000; amended 6-19-2000 by O-18814 N.S.)*  
*(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)*