



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

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

October 10, 2025

Policy Subcommittee of the Historic Resources Board
C/O Kelley Stanco Deputy Director
Environmental Policy & Public Spaces Division
City of San Diego, City Planning Department
9485 Aero Drive, MS 413
San Diego, CA 92123
Email: KStanco@sandiego.gov

**Re: HRB Policy Subcommittee Meeting – October 13, 2025
Non-Agenda Comment Regarding Designation Process**

Dear HRB Policy Subcommittee Chair Byers and Members,

Staff has presented their recommendations under Package A of the Preservation and Progress Initiative (P&P Initiative). Missing from these recommendations is removal of the supermajority requirement of SDMC §123.0202(e),¹ a revision that preservation groups and community members have repeatedly advocated in favor of during the comment period without response from City staff. Because application of the supermajority requirement frequently results in non-designation of meritorious resources, which under the current proposed amendments is only appealable by record owners, it is appropriate to consider the continued validity of the requirement alongside the appeal process amendments.

We, thus, present this letter as a non-agenda comment in support of removal of the supermajority requirement. Please note, these comments were prepared without the benefit of the “Benchmarking Study,” which informs many of City staff’s recommendations and which has not been released despite prior assurances.

Retaining the “supermajority” requirement makes San Diego an outlier and enshrines inequity in the historic resource regulations.

¹ SDMC §123.0202(e) provides, “The action to designate shall require the affirmative vote by six members of the Board.”

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

Conclusion & Recommendation: For the foregoing reasons, the Policy Subcommittee should direct staff to remove the supermajority requirement from SDMC §123.0202(e) and require that only a majority vote is necessary for an action to designate.

Respectfully Submitted,



Mission Hills Heritage,
By: Robert Jassoy, President