

ORDINANCE NO. 10519  
(New Series)

MAR 11 1971

AN ORDINANCE AMENDING CHAPTER II,  
ARTICLE 6 OF THE SAN DIEGO MUNICIPAL  
CODE BY AMENDING SECTION 26.02 RELATING  
TO THE HISTORICAL SITE BOARD.

BE IT ORDAINED by the Council of The City of  
San Diego as follows:

Section 1. That Chapter II, Article 6 of the  
San Diego Municipal Code be and it is hereby amended  
by amending Section 26.02 to read as follows:

SEC. 26.02 HISTORICAL SITE BOARD

A. PURPOSE AND INTENT

It is the purpose and intent of the City Council  
to establish a Historical Site Board as an advisory  
board to advise the Mayor, City Council, City Planning  
Commission, Park and Recreation Board, and City  
Manager relating to the identification, protection,  
retention and preservation of historical sites in the  
City of San Diego.

B. HISTORICAL SITE BOARD

There is hereby created a Historical Site Board  
which shall consist of fifteen (15) members who shall  
serve without compensation. The members shall be  
appointed by the Mayor and confirmed by the Council.  
The members shall serve two (2) year terms and each  
member shall serve until his successor is duly

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appointed and qualified. The members shall be appointed in such a manner that the terms of not more than eight (8) members shall expire in any year. The expiration date shall be March 1. During March of each year, the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman.

The Board shall adopt rules consistent with laws for the government of its business and procedures. The Board shall meet not less than once a month.

#### C. HISTORICAL SITES

A historical site is any site (including significant trees or other plant life located thereon), building, structure or mark of historical significance due to its association with such things as noted past events, historical persons, or distinguishing architectural characteristics.

#### D. DUTIES AND FUNCTIONS

The Board shall:

1. Inspect any site, building or structure which it has reason to believe is, or will be, a historical site and coordinate its activities with the San Diego County Marking Commission, the State of California, and the Federal Government to prevent any duplication of efforts.

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2. Compile and maintain a current register of all sites, buildings and structures it has determined to be historical sites. A description of the site and its reason for inclusion shall be contained therein. Copies of said register shall be transmitted to the Departments of Planning, Parks and Public Buildings, Fire, Building Inspection, Engineering, Community Development, City Clerk and other interested departments and/or governmental or civic agencies.

3. The Historical Site Board shall also notify the owner of each building, structure or other site, cultural or historic, in writing, of the fact that his property is included in the list, and shall give such person written notice of any further action which it takes with respect to such property. For purposes of this section the owner of such property shall be deemed to be the person appearing as the owner of such property on the last equalized assessment roll of the County of San Diego. Such notice shall be mailed to the address shown on the said assessment roll as soon as practicable after the property is included in the list or at the time the Historical Site Board takes further action regarding it.

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4. Explore means for the protection, retention and preservation of any historical site including, but not limited to, appropriate legislation and financing, such as the establishment of a private funding organization or individual, local, state or federal assistance.

5. Recommend standards for historical and aesthetic zones and the establishment of such zones within the City.

6. Consult with and advise the Mayor, City Council, City Planning Commission and City Manager in connection with the exercise of its duties and functions.

E. DEMOLITION, ALTERATION OR REMOVAL OF HISTORICAL SITES

1. No permit for the demolition, substantial alteration or removal of any building, structure or site listed in the register of historic sites shall be issued without first referring the matter to the Historical Site Board, except where the City Manager determines that demolition, removal or substantial alteration of any such building, structure or site is immediately necessary in the interest of the public health, safety or general welfare. The Building Inspection, Engineering and Community Development Departments shall notify

the Historical Site Board in writing within five (5) days of any request it receives for any such permit.

2. No person shall remove trees, plants or other major landscaping from any property designated as a historical site without the prior approval of the City Manager. The City Manager shall notify the Historical Site Board in writing of any such request within five (5) days of its receipt.

3. The Historical Site Board shall have thirty (30) days from the date of such notification within which to object to the proposed demolition, major alteration or removal of the trees, plants or other major landscaping. The Historical Site Board shall file its objections with the City Manager or his delegate. Upon the filing of said objections, no permits shall be issued for the demolition, major alteration, or removal of said historic site for a period of not less than thirty (30) nor more than one hundred eighty (180) days. The City Manager shall notify the appropriate departments of the filing of objections by the Historical Site Board. Failure to file objections within the thirty (30) day period shall be deemed a waiver

of all objections, and the permit shall be issued in due course.

4. Upon the filing of objections, the Historical Site Board shall take such steps within the scope of its powers and duties as it determines are necessary for the preservation of the historical site. No such action shall be taken by the Historical Site Board, however, until the same has been first submitted to and approved by the City Council. At the end of the first thirty (30) days, the Historical Site Board shall report its progress to the City Council which may, upon review of the progress report, withdraw and cancel the objection to the proposed demolition, major alteration or removal, and the necessary permits shall then be issued. If at the end of the first one hundred (100) days of the aforesaid one hundred eighty (180) day period it is found that the preservation of the site, building or structure cannot be fully accomplished within the one hundred eighty (180) day period and the Historical Site Board determines that such preservation can be satisfactorily completed within an additional period not to exceed one hundred eighty (180)

days, the Historical Site Board may recommend to the City Council that a request for extension be granted. Such recommendation shall set forth the reasons therefor and the progress to that date of the steps taken to preserve the site. The City Council may accept such recommendation for good cause shown, and if it appears that preservation may be completed within the time requested, may grant an extension of time not to exceed one hundred eighty (180) days. No such request for extension shall be made after the expiration of the original one hundred eighty (180) day suspension period.

5. The Historical Site Board shall have no power or right to acquire any property for or on behalf of itself or The City of San Diego, nor shall it acquire or hold any money for itself or on behalf of the City.

6. Said Historical Site Board may adopt such rules and regulations as are necessary to carry out the purpose and intent of this section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption  
C. Alan Sumption, Deputy

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**APR 28 1978**

**10519**



MAR 11 1971

Passed and adopted by the Council of The City of San Diego on  
by the following vote:

RECEIVED  
CITY CLERK'S OFFICE

1971 FEB 19 PM 12:18

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 25 1971

MAR 11 1971

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance  
Number

10519

Adopted

MAR 11 1971

FORM CC-1255-A (1-70)

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APR 28 1978



SEC. 26.02 HISTORICAL SITE BOARD

A. PURPOSE AND INTENT

It is the purpose and intent of the City Council to establish a Historical Site Board as an advisory board to advise the Mayor, City Council, City Planning Commission, Park and Recreation Board, and City Manager relating to the identification, protection, retention and preservation of historical sites in the City of San Diego.

B. HISTORICAL SITE BOARD

There is hereby created a Historical Site Board which shall consist of fifteen (15) members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. ~~Appointments shall be for a~~ The members shall serve two (2) year terms ~~ending in December of each odd numbered year, on the date of which and the time at which the terms of office of Councilmen elected the preceding November commence,~~ and each member shall serve until his successor is duly appointed and qualified. ~~The Mayor shall select a chairman of the Board in December of each year. Vacancies shall be filled for the unexpired term of the member whose place has become vacant. All members shall serve without compensation.~~ The members shall be appointed in such a manner that the terms of not more than eight (8) members shall expire in any year. The expiration date shall be March 1. During March of each year, the Mayor may designate one (1) member as Chairman; however, in the

absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman.

The Board shall adopt rules consistent with laws for the government of its business and procedures. The Board shall meet not less than once a month.

#### C. HISTORICAL SITES

A historical site is any site (including significant trees or other plant life located thereon), building, structure or mark of historical significance due to its association with such things as noted past events, historical persons, or distinguishing architectural characteristics.

#### D. DUTIES AND FUNCTIONS

The Board shall:

1. Inspect any site, building or structure which it has reason to believe is, or will be, a historical site and coordinate its activities with the San Diego County Marking Commission, the State of California, and the Federal Government to prevent any duplication of efforts.

2. Compile and maintain a current register of all sites, buildings and structures it has determined to be historical sites. A description of the site and its reason for inclusion shall be contained therein. Copies of said register shall be transmitted to the Departments of Planning, Parks and Public Facilities Buildings, Fire, Building Inspection, Engineering, Community Development, City Clerk and other interested departments and/or governmental or civic agencies.

3. The Historical Site Board shall also notify the owner of each building, structure or other site, cultural or historic, in writing, of the fact that his property is included in the list, and shall give such person written notice of any further action which it takes with respect to such property. For purposes of this section the owner of such property shall be deemed to be the person appearing as the owner of such property on the last equalized assessment roll of the County of San Diego. Such notice shall be mailed to the address shown on the said assessment roll as soon as practicable after the property is included in the list or at the time the Historical Site Board takes further action regarding it.

4. Explore means for the protection, retention and preservation of any historical site including, but not limited to, appropriate legislation and financing, such as the establishment of a private funding organization or individual, local, state or federal assistance.

5. Recommend standards for historical and aesthetic zones and the establishment of such zones within the City.

6. Consult with and advise the Mayor, City Council, City Planning Commission and City Manager in connection with the exercise of its duties and functions.

E. DEMOLITION, ALTERATION OR REMOVAL OF HISTORICAL SITES

1. No permit for the demolition, substantial alteration or removal of any building, structure or site listed in the register of historic sites shall be issued without first referring the matter to the Historical Site Board, except where the City Manager determines that demolition, removal or substantial alteration of any such building, structure or site is immediately necessary in the interest of the public health, safety or general welfare. The Building Inspection, Engineering and Community Development Departments shall notify

the Historical Site Board in writing within five (5) days of any request it receives for any such permit.

2. No person shall remove trees, plants or other major landscaping from any property designated as a historical site without the prior approval of the City Manager. The City Manager shall notify the Historical Site Board in writing of any such request within five (5) days of its receipt.

3. The Historical Site Board shall have thirty (30) days from the date of such notification within which to object to the proposed demolition, major alteration or removal of the trees, plants or other major landscaping. The Historical Site Board shall file its objections with the City Manager or his delegate. Upon the filing of said objections, no permits shall be issued for the demolition, major alteration, or removal of said historic site for a period of not less than thirty (30) nor more than one hundred eighty (180) days. The City Manager shall notify the appropriate departments of the filing of objections by the Historical Site Board. Failure to file objections within the thirty (30) day period shall be deemed a waiver

of all objections, and the permit shall be issued in due course.

4. Upon the filing of objections, the Historical Site Board shall take such steps within the scope of its powers and duties as it determines are necessary for the preservation of the historical site. No such action shall be taken by the Historical Site Board, however, until the same has been first submitted to and approved by the City Council. At the end of the first thirty (30) days, the Historical Site Board shall report its progress to the City Council which may, upon review of the progress report, withdraw and cancel the objection to the proposed demolition, major alteration or removal, and the necessary permits shall then be issued. If at the end of the first one hundred (100) days of the aforesaid one hundred eighty (180) day period it is found that the preservation of the site, building or structure cannot be fully accomplished within the one hundred eighty (180) day period and the Historical Site Board determines that such preservation can be satisfactorily completed within an additional period not to exceed one hundred eighty (180)

days, the Historical Site Board may recommend to the City Council that a request for extension be granted. Such recommendation shall set forth the reasons therefor and the progress to that date of the steps taken to preserve the site. The City Council may accept such recommendation for good cause shown, and if it appears that preservation may be completed within the time requested, may grant an extension of time not to exceed one hundred eighty (180) days. No such request for extension shall be made after the expiration of the original one hundred eighty (180) day suspension period.

5. The Historical Site Board shall have no power or right to acquire any property for or on behalf of itself or The City of San Diego, nor shall it acquire or hold any money for itself or on behalf of the City.

6. Said Historical Site Board may adopt such rules and regulations as are necessary to carry out the purpose and intent of this section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption, Deputy

CAS:clh  
2/4/71

ATTORNEY (S)

CITY OF SAN DIEGO  
202 C Street  
Community Concourse  
San Diego, California

RECEIVED  
CITY CLERK'S OFFICE  
1971 MAR 22 PM 3:57  
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 6  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION  
26.02 RELATING TO THE HISTORICAL SITE BOARD

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10519 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

March 19, 1971

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

March 19, 1971

*Patricia M. Applestill*  
(Signature)

23 1/4" - # 97.65

77 288



**ORDINANCE NO. 10519**  
**(NEW SERIES)**

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BE IT ORDAINED by the Council of The City of San Diego as follows: Section 1. That Chapter II, Article 6 of the San Diego Municipal Code be and it is hereby amended by amending Section 26.02 to read as follows:

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Board may recommend to the City Council that a request for extension be granted. Such recommendation shall set forth the reasons therefor and the progress to that date of the steps taken to preserve the site. The City Council may accept such recommendation for good cause shown, and if it appears that preservation may be

completed within the time requested, may grant an extension of time not to exceed one hundred eighty (180) days. No such request for extension shall be made after the expiration of the original one hundred eighty (180) day suspension period.

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6. Said Historical Site Board may adopt such rules and regulations as are necessary to carry out the purpose and intent of this section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT,  
City Attorney

Introduced on February 25, 1971.  
Passed and adopted by the Council of The City of San Diego on March 11, 1971.

**AUTHENTICATED BY:**

FRANK CURRAN,  
Mayor of The City of  
San Diego, California.  
JOHN LOCKWOOD,  
City Clerk of The City of  
San Diego, California.  
By ELFA F. HAMEL,  
Deputy.

(SEAL) Published Mar. 10, 1971

F-378