

ORDINANCE NUMBER O- 19557 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 15 2006

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 12, ARTICLE 3, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING LAND DEVELOPMENT CODE SECTION 123.0202(e) TO READ "SIX" MEMBERS INSTEAD OF "EIGHT" MEMBERS THEREBY CHANGING THE LANGUAGE TO BE CONSISTENT WITH PREVIOUS CHANGES APPROVED BY THE CITY COUNCIL ON AUGUST 1, 2006 IN ORDINANCE 0-19562, WHICH REDUCED THE MEMBERSHIP, QUORUM, AND VOTING REQUIREMENTS OF THE HISTORICAL RESOURCES BOARD.

WHEREAS, the Historical Resources Board (HRB) was established in 1965 by the City Council in accordance with City Charter, Section 43; and

WHEREAS, in 1985, the City of San Diego became a Certified Local Government (CLG) pursuant to the National Historic Preservation Act Section 101(c) for its implementation of a local historical preservation program based on federal and state standards; and

WHEREAS, the CLG program makes the City of San Diego eligible for various benefits including eligibility for a share in the state's Annual Historic Preservation Fund; and

WHEREAS, the CLG program requires that the City of San Diego establish a qualified preservation review commission under local law, which is to be comprised of a minimum of five members, all having a demonstrated interest, competence, or knowledge of historic preservation; and

WHEREAS, on August 1, 2006, the City Council of San Diego voted to approve the reduced membership of the HRB from fifteen to eleven members, reduced quorum requirement

of the HRB from eight to six, and reduced number of HRB Member votes to designate an historical resource from eight to six; and

WHEREAS, the amendment to the Land Development Code reflecting the August 1, 2006 City Council action referenced only section 111.0206; and

WHEREAS, it was recently noted that section 123.0202(e) was inadvertently omitted from the previous amendment approval request; and

WHEREAS, in order for section 123.0202(e) to reflect the changes made by City Council in its August 1, 2006 decision and to be consistent with the amended section 111.0206 of the Land Development Code, section 123.0202(e) should read "six members" instead of "eight members;" NOW, THEREFORE,

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

Section 1. That Chapter 12, Article 3, Division 2 of the San Diego Municipal Code is amended by amending Section 123.0202(e) to read as follows:

**§ 123.0201 Purpose of Historical Resource Designation Procedures**

No change in text.

**§ 123.0202 Designation Process for Historical Resources**

(a) No change in text.

(b) No change in text.

(c) No change in text.

(d) No change in text.

(e) Historical Resources Board Decision. The Historical Resources Board shall review the Research Report and shall make a decision on whether to

designate a *historical resource* based on the criteria specified in, and  
consistent with the procedures of the Historical Resources Guidelines of  
the Land Development Manual. The action to designate shall require the  
affirmative vote by six members of the Board.

- (f) No change in text.
- (g) No change in text.


**§ 123.0203 Appeal From Historical Resources Board Decision**

No change in text.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage,  
a written or printed copy having been available to the City Council and the public a day prior to  
its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from  
and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
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 Nina M. Fain  
 Deputy City Attorney

NMF:mm  
 10/31/06  
 Or.Dept:City Planning & Comm.  
 O-2007-45  
 MMS#3982

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC - 5 2006.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12.15.06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor

ATTACHMENT "A"

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8-1-06

ORDINANCE NUMBER O- 19526 (NEW SERIES)

DATE OF FINAL PASSAGE AUG - 6 2006

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 11, ARTICLE 1, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING LAND DEVELOPMENT CODE SECTION 111.0206 THEREBY REDUCING THE NUMBER OF HISTORICAL RESOURCES BOARD MEMBERS FROM 15 TO 11, REDUCING THE QUORUM REQUIREMENT FROM 8 TO 6, REDUCING THE REQUIRED VOTES FOR DESIGNATION FROM 8 TO 6, AND REDUCING THE MAXIMUM NUMBER OF APPOINTMENTS THAT EXPIRE IN ANY YEAR FROM 8 TO 6.

WHEREAS, the Historical Resources Board (HRB) was established in 1965 by the City Council in accordance with City Charter, Section 43; and

WHEREAS, in 1985, the City of San Diego became a Certified Local Government (CLG) pursuant to the National Historic Preservation Act Section 101(c) for its implementation of a local historical preservation program based on federal and state standards; and

WHEREAS, the CLG program makes the City of San Diego eligible for various benefits including eligibility for a share in the state's Annual Historic Preservation Fund; and

WHEREAS, the CLG program requires that the City of San Diego establish a qualified preservation review commission under local law, which is to be comprised of a minimum of five members, all having a demonstrated interest, competence, or knowledge of historic preservation; and

WHEREAS, the City of San Diego has granted authority to its preservation review commission, the HRB, under Land Development Code Section 111.0206, which establishes a 15 member Board; and

WHEREAS, the maintenance of a 15 member Board has become difficult due to administrative costs and continued vacancies; NOW, THEREFORE,

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

Section 1. That Chapter 11, Article 1, Division 1 of the San Diego Municipal Code is amended by amending Section 111.0206 to read as follows:

**§111.0206 Historical Resources Board**

- (a) Authority. No change in text.
- (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) No change in text.
- (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.

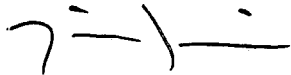
(d) Powers and Duties. No change in text.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



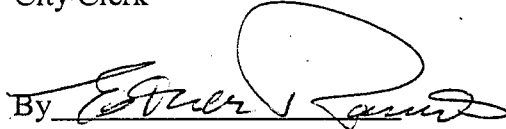
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Nina M. Fain-Newman  
Deputy City Attorney

NFM:mm  
07/05/06  
Or.Dept:Planning  
O-2007-4  
MMS#3452



I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 01 2006

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 8-6-06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor