

# Community Planners Committee

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## **CPC APPROVED MINUTES FOR MEETING OF TUESDAY, FEBRUARY 27, 2024**

### **MEMBERS PRESENT:**

Representative, Carmel Valley (CV)	Paul Coogan, Normal Heights (NH)
Mary Young, Chollas Valley-Encanto (CVE)	Lynn Elliot, North Park (NP)
Marcellus Anderson, City Heights (CH)	Andrea Schlageter, Chair, Ocean Beach (OB)
Nick Reed, Clairemont Mesa (CM)	Korla Equinta, Peninsula (PEN)
Tom Silva, College Area (CA)	Vicki Touchstone, Rancho Bernardo (RB)
Laura Riebau, Eastern Area (EA)	Jon Becker, Rancho Peñasquitos (RPQ)
David Moty, Kensington-Talmadge (KT)	Victoria LaBruzzo, Scripps Ranch (SR)
Harry Bubbins, La Jolla (LJ)	Guy Preuss, Skyline-Paradise Hills (SPH)
Felicity Senoski, Linda Vista (LV)	Representative, Torrey Pines (TP)
Bill Crooks, Miramar Ranch North (MRN)	Chris Nielsen, University (UNIV)
Bob Semenson, Mission Beach (MB)	Matt Wahlstrom, Uptown (UP)
Brian Giles Navajo (NAV)	

### **VOTING INELIGIBILITY/RECUSALS:**

The following planning group have single absences:

BL, CMR/SS, DMM, DT, GGH, KM, MPH, MM, MV, OTSD, OM, OMN, PB, SY, SM, SE, TS and TH.

### **AGENDA ITEMS:**

#### **1. CALL TO ORDER/INTRODUCTIONS/MODIFICATIONS TO THE AGENDA:**

Chair called the meeting to order at 6:12 p.m. upon reaching quorum and roll call was conducted.

#### **2. NON-AGENDA PUBLIC COMMENT:**

Non-agenda public comment included:

- A request for the CPC to discuss upcoming code changes by the City and its impacts on transparency, the public review process, and liability.
- A request from the San Diego Canyonlands organization to have the CPC discuss impacts on natural habitat protection due to modifications on public review and CEQA implementation by the City of San Diego.

- Suggestion by Linda Vista to have all the planning groups also fill out the worksheet provided by City staff for the Equity Forward Inclusive Public Engagement Guide, and for the City to also be transparent in the responses received.
- Request by Power San Diego to have CPC discuss an ongoing effort to introduce a municipal non-profit utility company in the region.
- Comment on Development Impact Fees (DIF) obtained during development projects should be reinvested into the communities where they were incurred.
- An inquiry by Uptown Planning Group as to why letters from the CPC to the City regarding DIF and complaints were not on the agenda, and a reiteration on their urgency.

**3. APPROVAL OF MINUTES OF November 28, 2023 & January 23<sup>rd</sup>, 2024 and ROLL CALL:**

Approval of the November 28, 2023 minutes as revised:

Yea: CA, EA, KT, LJ, LV, MRN, NH, NP, OB, RB, RPQ, SR, TP, UNIV

Nay: None.

Abstain: CV, CVE, CM, MB, NAV, PEN, SPH, UP

Minutes approved as revised: 14-0-8

Approval of the January 23, 2024 minutes as revised:

Yea: CM, CA, EA, KT, LV, MRN, NH, NP, OB, PEN, RB, SPH, SR, TP, UNIV, UP

Nay: None.

Abstain: CV, CVE, LJ, MB, NAV, RPQ,

Minutes approved as revised: 16-0-6

**4. LAND DEVELOPMENT CODE UPDATE:**

City Planning staff provided an update on the upcoming 2024 Land Development Code Update (LDC). This update will introduce a variety of amendments to the LDC both Citywide and in Downtown. A few of the Citywide proposed amendments were presented to the CPC, with elaboration provided by City staff.

The CPC subcommittee had the opportunity to review all the LDC amendments in greater detail prior to this meeting. Through this review process the subcommittee provided a series of recommendations to City staff beforehand on the LDC updates, with the presentation provided during this CPC meeting being modified to reflect some of the recommendations provided.

The following public comments were provided regarding the LDC update:

- Clarification on where these amendments originated and who proposes them was requested.

- The terminology presented and discussed needs to be more accessible. Understanding of what each amendment will do is otherwise limited as there were too many technical terms used with no accompanying explanation of their meaning.
- Having all amendments available in a presentation format was requested.
- Amendments should also include an example of what that amendment will do or in which kinds of scenarios it would apply.

The following comments and questions were expressed by CPC members regarding the LDC update:

- Greater publicity of upcoming workshops pertaining to the LDC Update is necessary. Flyers, news, and emails regarding upcoming workshops should be utilized more to ensure the public is aware of these events.
- CPC members wanted to inquire as to why the City had removed other meeting formats used to gather public input for LDC updates in previous years.
- Concerns over potential density imbalances in residential zones was expressed by members of the CPC such as in the case of Item 67 of the Citywide amendments (provides building density incentives for sites which include childcare facilities).
- Concerns over green/natural space requirements were also raised with respect to the LDC Update's modifications on qualifying spaces for the City's objective on implementing promenades citywide. City staff clarified that new amendments would modify geometric requirements, permitting urban plazas to also qualify for the City's objective.
- Several members of the CPC felt that they would not be able to provide an informed vote on a motion regarding the LDC update. Timing and perceived lack of opportunity for non-subcommittee CPC members to discuss the topic with their own planning groups were raised as reasons for this opinion.
- Despite these concerns regarding timing and information, CPC voted on a motion to approve all proposed LDC Update recommendations from the subcommittee except for Item 67.

Motion by CM and seconded by CA to approve the Land Development Code, with the exception of Item 67,

Yea: CM, CA, KT, LV, MRN, NH, NAV, PEN, RPQ, SPH and UNIV

Nay: EA, MB, OB, SR, UP

Abstain: CH, CV, CVE, LJ, NP, RB and TP

Motion passed by a vote of 11-5-7.

## **5. APPROVAL OF NON-ELECTED CPG BOARDS:**

The CPC continued discussion on writing a letter to the City regarding non-elected CPG members in communities with competing planning group applications. Two questions were presented to City staff in order to support the letter's writing process.

The first question presented during this meeting asked how the City will avoid potential conflicts of interest or bias when choosing a competing planning group during the recognition process. City staff provided clarification on this question, stating that City staff will not be making decisions on planning group recognition for competing communities. Recognition of a group in the case of competing applications will be voted on by City Council.

The second question asked was on the election timeframe of competing groups. Existing policy surrounding transfer of power in the case that a new planning group is chosen during recognition prompted concerns from the CPC. As a result, the CPC held discussion on recommendations they would make to the City on amendments to the recognition process.

As part of this topic, City staff have stated that they are in the process of proposing amendment to Council Policy 600-24 due to previously raised concerns by the public and the CPC on this topic.

Discussion and concerns from the public included the following:

- The current direction of policy amendments could provide newly recognized groups a 60-day grace period. Upon recognition, individuals on the application would be a temporarily recognized planning group for 60 days. Elections would need to be held within this time period so that the group is composed exclusively of elected members once the grace period ends.
- Clarification on when elections could occur would also be added into the amendments, as the CPC found that existing policy did not sufficiently specify when groups can run elections, and if they could do so prior to recognition.

Discussion and concerns from the board included the following:

- The exact number of days in this grace period need to be finalized—60 days was deemed to be potentially too lengthy.
- Due to the ongoing amendment process, some CPC members felt confused on how this process would apply to existing planning groups without competing applications. City staff provided guidance on this manner, stating that the bylaws for existing planning groups would remain in effect. Upon recognition by City Council, these groups' new operating procedures would take effect and provide new direction on future election processes.

- CPC members expressed wanting to better understand how elections would work in the case of a merging planning group.
- Concern over the exact powers that a recognized group would have during the grace period was raised by CPC. Per discussion, permitting a group to hold full powers during this period go against fair practices regarding planning groups.
- In the case of a new group gaining recognition, one proposal would allow the previous to make community-based decisions during this grace period while the new group conducts elections.
- One other proposal could incentivize elections for new planning groups by preventing any members on an application from taking an official position on a planning group until they are recognized through an election.
- A third proposal raised by the CPC could have the newly recognized group consider elections their first and only order of business, with no other business being conducted by the new group until elections are held.
- The timeframe for the grace period was discussed in greater detail. Through discussion it was determined that the period could be extended to 90 days as long as the new planning group is not empowered to make community decisions before elections are held.

A motion to send the letter to the City with proposed amendments implemented was raised by CM and seconded by NP.

Yea: CVE, CH, CM, CA, EA, KT, LV, MRN, MB, NAV, NH, NP, OB, PEN, RB, RPQ, SR, SPH, TP, UNIV, UP

Nay:

Abstain: CV, LJ

Motion was approved 21-0-2

## 6. REPORTS TO CPC:

- **City Staff Report:** City staff provided an update on the worksheets for the Inclusive Public Engagement Guide, with a renewed invitation to have planning groups participate in the worksheet process.

As well, the City also will offer interpretation services for certain items such like meeting agendas as a courtesy to planning groups.

An update on the timeline for planning group recognition was provided, with Land Use and Housing now occurring on March 21, 2024. Planning group recognition will still be heard before City Council on May 14, 2024.

- **Chair Report:** Chair Schlageter provided a brief summary of the planned agenda for the next planned CPC in March. Anticipated topics include revisiting the LDC update, a visit from Community Engagement City staff, a presentation from the Environmental Justice aspect, and discussion on a short-term rental ordinance amendment. A reminder to the CPC about the Canyon Oversight Committee was also provided, as well as an invitation to provide public comment on the Coastal Resilience Plan.
- **CPC Member Comments:** CPC members wanted an update on a possible response to a letter sent to the City regarding DIFs, and on how the City will engage with CPGs. Chair Schlageter stated that the City has not provided a response on the DIFs letter, though there was a reply to the CPGs engagement letter.

An additional update was provided on the DIFs letter, with plans to have it sent to the Grand Jury being mentioned.

**ADJOURNMENT TO NEXT REGULAR MEETING:** March 26, 2024

Meeting was adjourned at 8:27 P.M. to next regular meeting on March 26, 2024.