

Planning Department

# Community Planning Chairs Operations Workshop



## Introductions

### Planning Department

- ❖ Nancy Bragado, Deputy Director
- ❖ Bernard Turgeon, Senior Planner
- ❖ Maria Nieves, Clerical Assistant

### Development Services Department

- ❖ PJ Fitzgerald, Interim Assistant Deputy Director

### Planning Commission

- ❖ Stephen Haase, Vice-Chair

### Community Planners Committee

- ❖ David Moty, Chair

### Who is attending?

- ❖ Name & community planning group



## Agenda

Introductory Remarks

Planning Department Overview

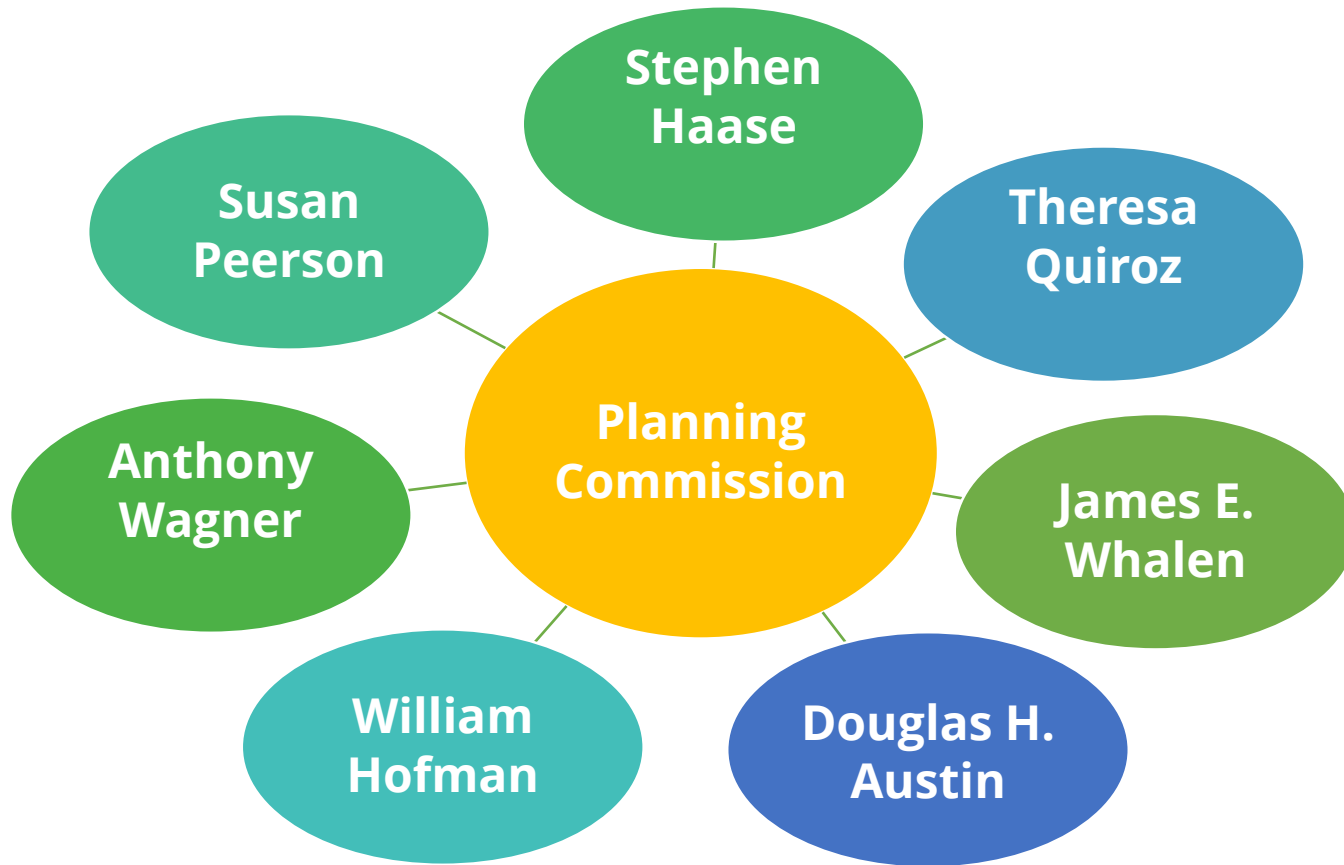
Development Services Department Overview

Community Planning Group Meeting Process

- ❖ Planning Group Governance and Structure
- ❖ Parliamentary Procedure
- ❖ Meeting Preparation
- ❖ Meeting Management
- ❖ Voting, Abstentions & Recusals
- ❖ Subcommittees
- ❖ Meeting Records

Questions?

# Planning Commission



## Community Planners Committee

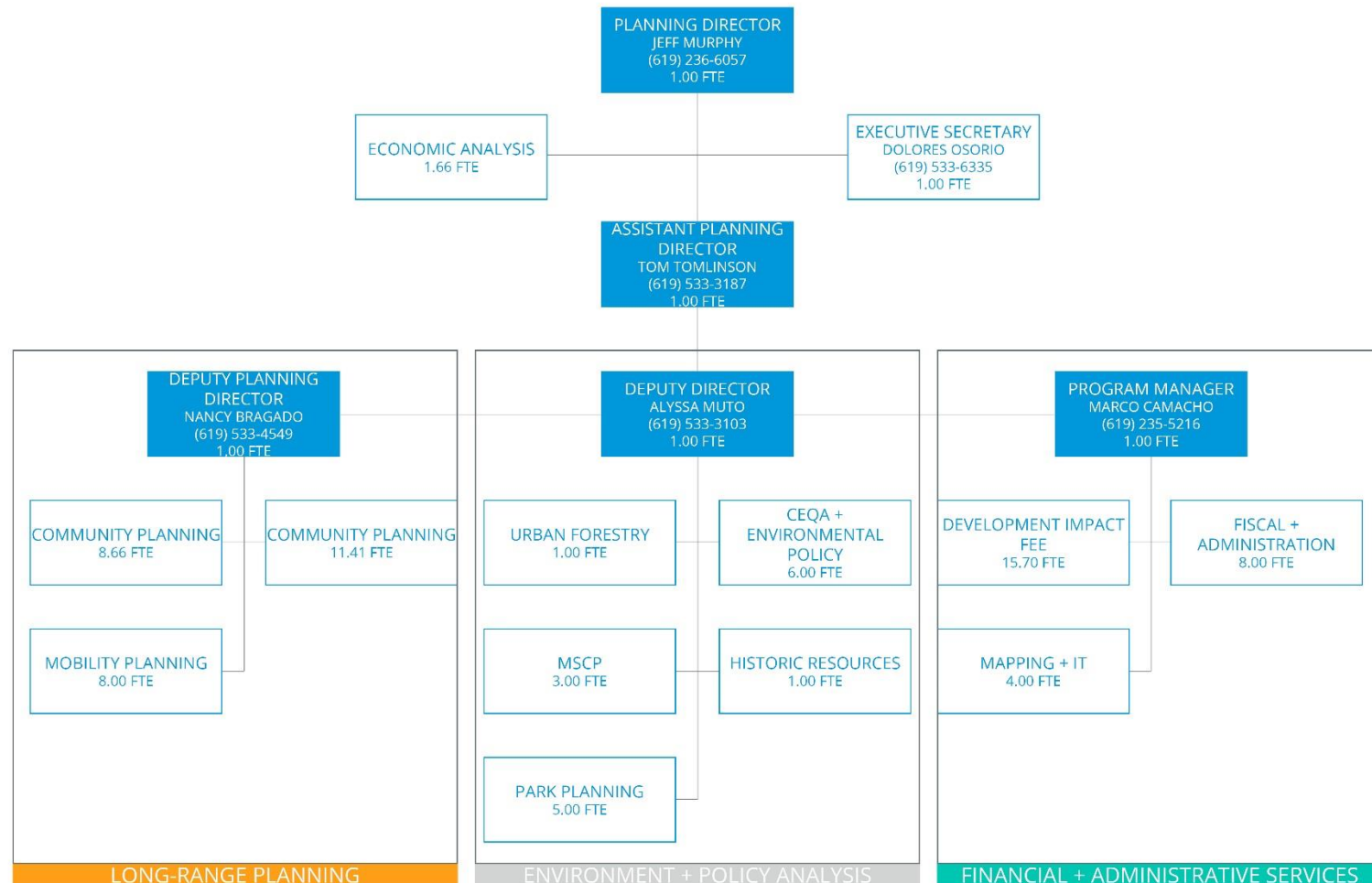
- ❖ Open to representatives from all 42 recognized community planning groups
- ❖ Monthly opportunity to discuss and vote on matters of Citywide interest and importance
- ❖ Advisory to City Council, Planning Commission and other agencies
- ❖ Subject to many of the same meeting procedures as individual community planning groups



## Neighborhood Services Branch

### Planning Department

Fiscal Year 2016





## Overview

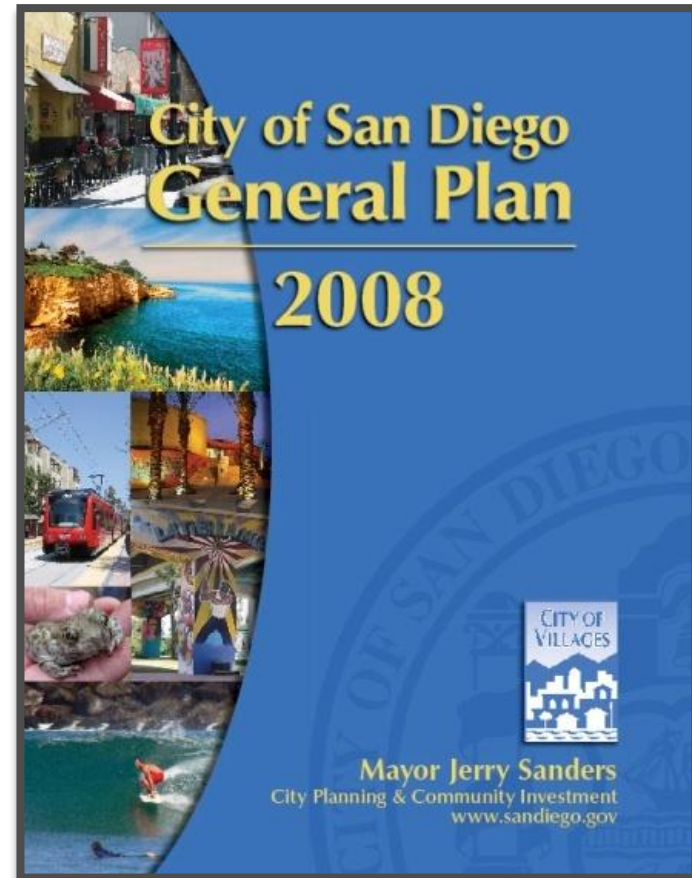
### Ongoing Projects and Programs

- ❖ 9 Community Plan Updates (CPUs) and Impact Fee Studies
- ❖ Major Plan Amendments
  - Serra Mesa Plan Amendment (Franklin Ridge Rd.)
  - University Plan Amendment (mobility focus)
- ❖ Financing Plan Updates
- ❖ Special Area Studies/TOD Plans
- ❖ Community planning group support
  - 42 planning groups
  - Community Planners Committee
- ❖ Plan amendments/ project review
  - Public and private projects
  - Plan implementation



## Community Plans

- ❖ Long range plans for growth and development
- ❖ Part of the City's General Plan
- ❖ Tailored for each community





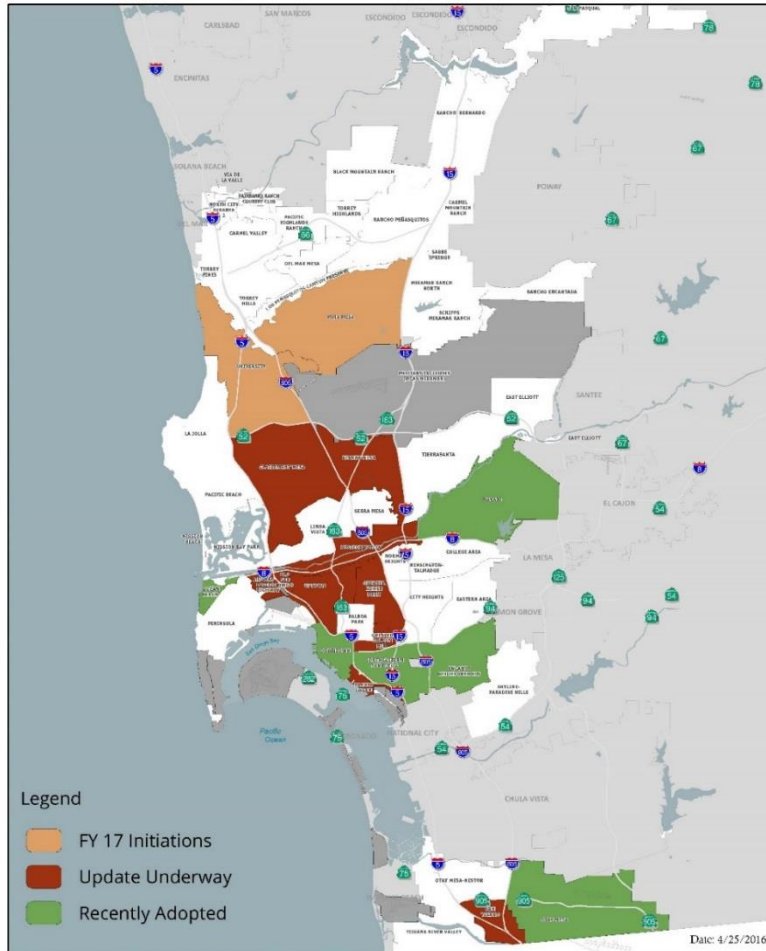
# Community Plan Updates in Process



- ❖ San Ysidro
- ❖ Uptown
- ❖ North Park
- ❖ Greater Golden Hill
- ❖ Old Town
- ❖ Midway Pacific Highway
- ❖ Mission Valley
- ❖ Clairemont
- ❖ Kearny Mesa

# Community Plan Updates

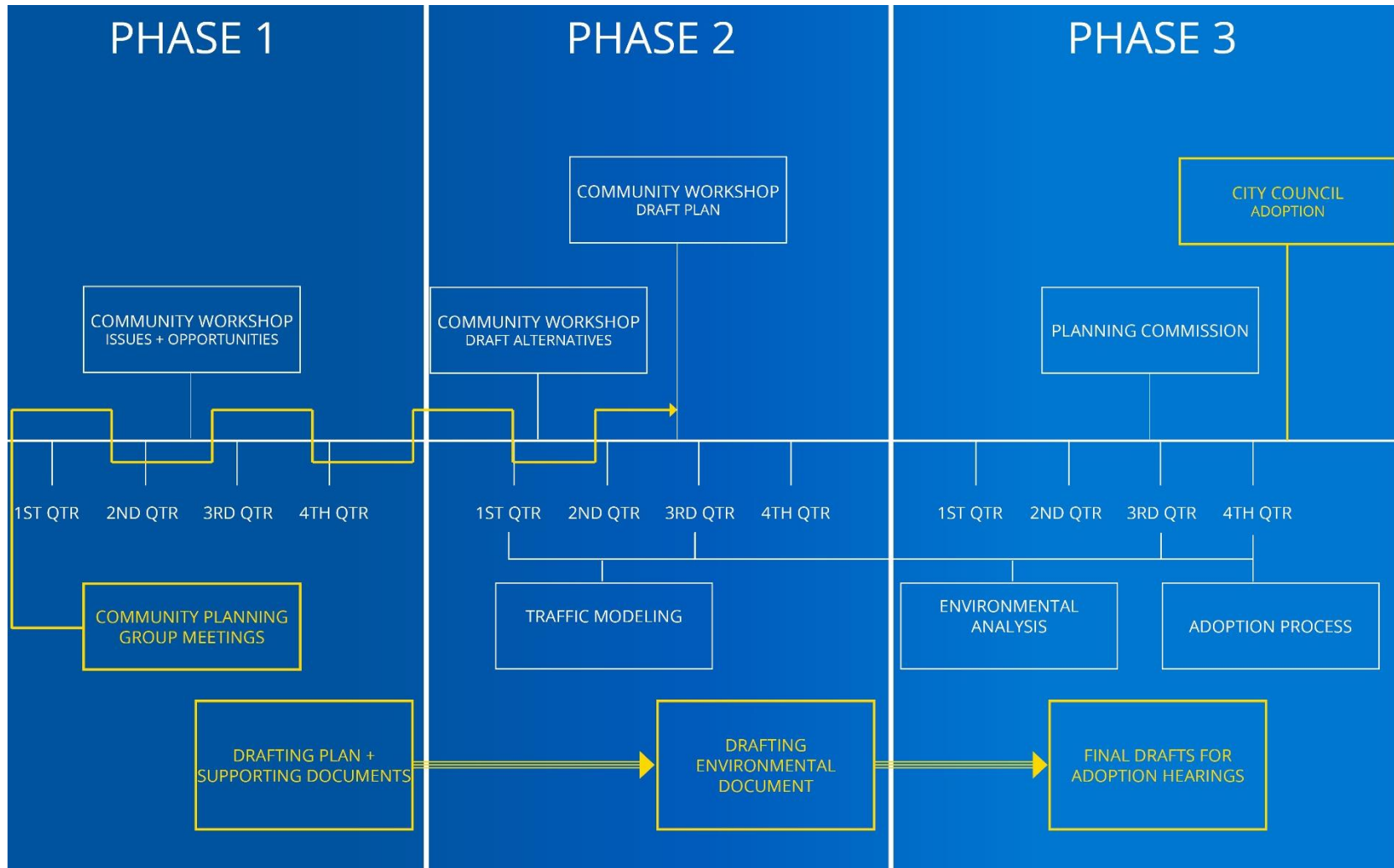
Community Plan Update Work Program



- ❖ San Ysidro
- ❖ Uptown
- ❖ North Park
- ❖ Greater Golden Hill
- ❖ Old Town
- ❖ Midway Pacific Highway
- ❖ Clairemont
- ❖ Kearny Mesa
- ❖ Mission Valley
- ❖ University Community
- ❖ Mira Mesa



## Community Plan Update Timeline and Process





# Development Services Department

## Divisions

- ❖ Building Construction and Safety
- ❖ Code Enforcement
- ❖ Engineering
- ❖ Land Development Review
- ❖ Project Submittal and Management
- ❖ Support Services



## OpenDSD Webpage

<http://www.sandiego.gov/development-services/opensds/index.shtml>

The screenshot shows the OpenDSD webpage. At the top is the City of San Diego header with navigation links: Business, City Hall, Community, Departments, Information, Leisure, Services A-Z, and Visiting. Below this is a banner for the Development Services Department featuring a city skyline. A navigation bar includes links for DEVELOPMENT SERVICES HOME, OpenDSD, CONSTRUCTION INDUSTRY, BUSINESS OWNERS, HOME OWNERS, DEVELOPMENT PROCESS STEP-BY-STEP, ZONING, NEWS & UPDATES, and CONTACT US. The main content area is titled 'OpenDSD' and includes a brief description of the system, its scope, and search options. Search options include 'Search by Data' (with buttons for Approval Search, Invoice Search, and Code Enforcement Case Search) and 'Search by Map' (with buttons for Discretionary Approvals Map, Ministerial Approvals Map, and Code Enforcement Case Map). A sidebar on the right contains FAQs, Permit Activity (with a PDF Reports link), and Other Resources (with a link for Information for Software Developers).

**THE CITY OF SAN DIEGO** Home Contact the City

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**Development Services Department**

DEVELOPMENT SERVICES HOME **OpenDSD** CONSTRUCTION INDUSTRY BUSINESS OWNERS HOME OWNERS DEVELOPMENT PROCESS STEP-BY-STEP ZONING NEWS & UPDATES CONTACT US

Development Services Home • OpenDSD

### OpenDSD

- OpenDSD Home

### OpenDSD

The City of San Diego is committed to serving the public and improving how information is provided to its citizens. For the first time, the City of San Diego's Development Services Department (DSD) is releasing to the public its Project Tracking System (PTS) in web-based format. PTS is an in-house software system used to both manage and track the City's land development permit processing functions. OpenDSD will now provide online access to permit data through internet browsers as well as to those who wish to query the permit data with software.

The scope of the data published exceeds that of any other city. The breadth of the release is intended to cover land development permit application, issuance, inspection, and completion. A variety of information including timelines, scope, decisions, and costs will all be provided online. In addition, [Code Enforcement](#) case activity is also provided. This data includes permit information dating back to 2003 as well as code enforcement cases since 2011. Personal identifying information such as phone numbers about individuals doing business with the City is not provided.

### Search OpenDSD

Interested parties can browse data by various identifiers including address. Additionally, you can browse or view the activity on interactive maps.

### Search by Data

This data goes back to the year 2003 and is for both current and historical activity. [See related data tips.](#) (PDF)

[Approval Search](#) [Invoice Search](#) [Code Enforcement Case Search](#)

### Search by Map

This data is for current or recent activity. [See related map tips.](#) (PDF)

[Discretionary Approvals Map](#) [Ministerial Approvals Map](#) [Code Enforcement Case Map](#)

### FAQs

Frequently Asked Questions are available for the following data sets:

- [Approval Status Reports](#)
- [Code Enforcement Status Reports](#)
- [Invoices](#)
- [Project Status Reports](#)

If those do not cover your question, please email us at: [dsdprojectinfo@sandiego.gov](mailto:dsdprojectinfo@sandiego.gov).

### Permit Activity

- [PDF Reports](#)

### Other Resources

- [Information for Software Developers](#)

## Discretionary Approvals

- ❖ Exercise of judgment/deliberation
- ❖ Decision Maker uses discretion to approve or deny
- ❖ Findings must be made to support the decision
- ❖ Requires public notice, decision may be appealed
- ❖ CPG recommendation required
- ❖ Not a Building Permit; plans are conceptual
- ❖ Approval required based on scope and location

## Decision Process Levels

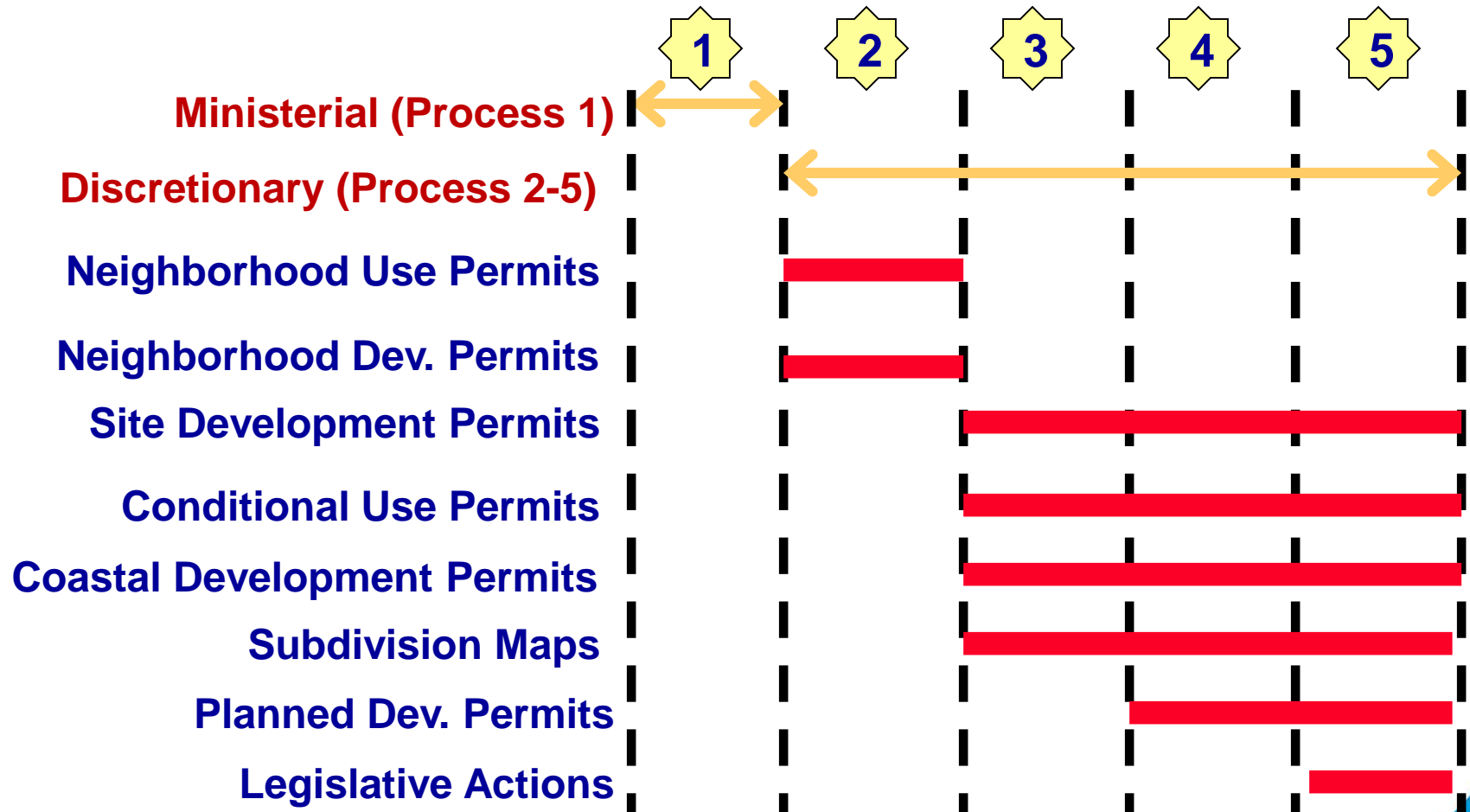
- **Process 1 – City Staff**  
Ministerial, no appeals (i.e. Building Permits)
- **Process 2 – City Staff**  
Appealable to Planning Commission
- **Process 3 – Hearing Officer**  
Appealable to Planning Commission
- **Process 4 – Planning Commission**  
Appealable to City Council
- **Process 5 – City Council**  
Final Decision, no appeals

**\* Processes 2-5 are Discretionary \***



## Approval Types

## Decision Process



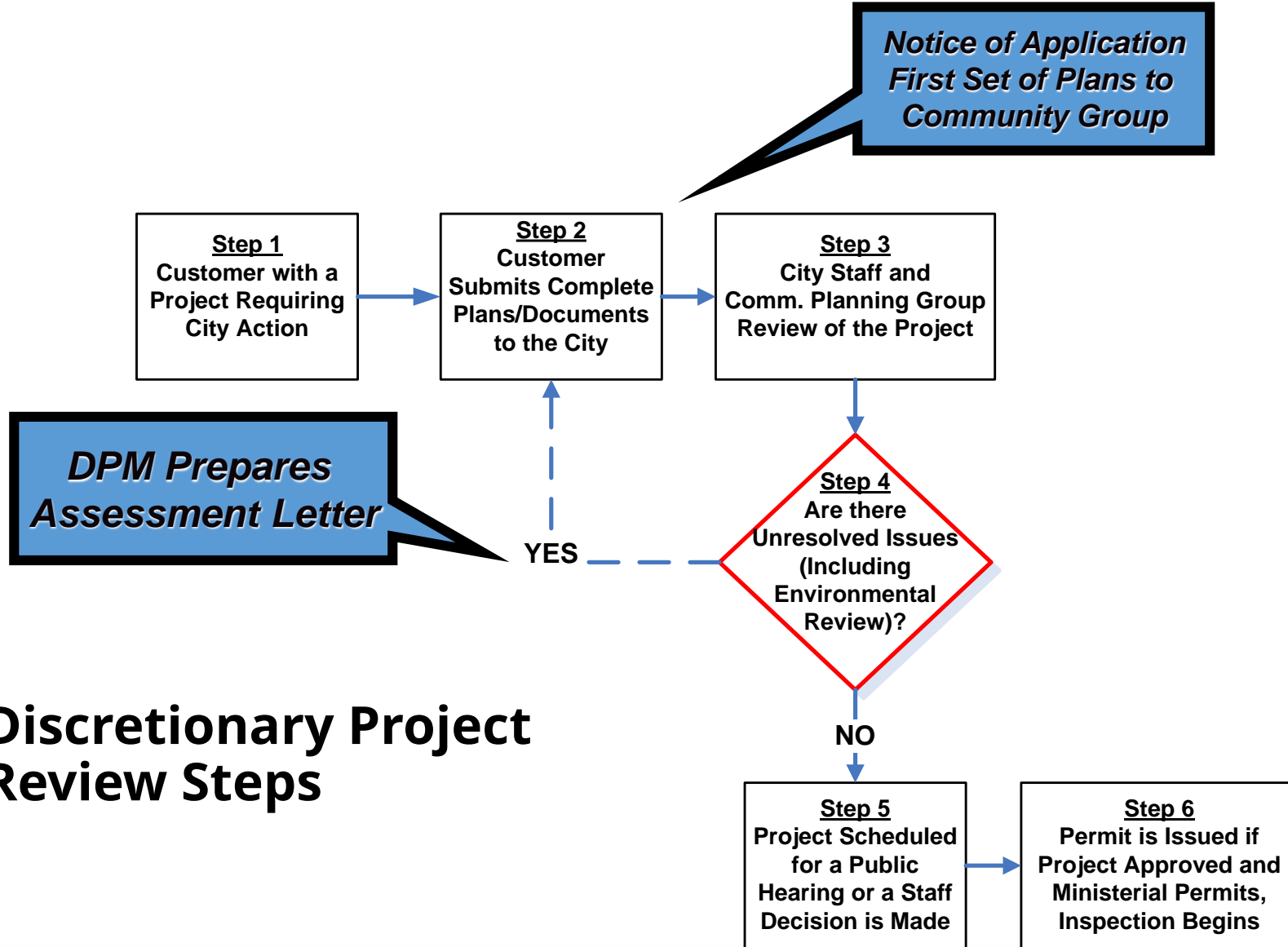


## Decision Maker vs. Advisory Body

- ❖ Planning Group and City reviewers are advisory
- ❖ Advisory bodies make recommendations not project decisions
- ❖ DSD, HO, PC and CC are Decision Makers
- ❖ Only Decision Maker can approve/deny a project
- ❖ Decision Maker does not have to follow advisory recommendations (use of discretion)

## Development Project Managers

- ❖ All Discretionary projects require a DPM
- ❖ DPM manages the multi-discipline project review
- ❖ Serves as the project's single point of contact
- ❖ Prepares assessment letters, staff reports, permits, findings & required approval documents
- ❖ Presents the project at public hearings
- ❖ Advocates for the process not the project



## Discretionary Project Review Steps

## Assessment Letters

- ❖ AL prepared by City Project Manager
- ❖ Valuable tool for applicant and CPG
- ❖ Outlines project issues, required permits, process level, next steps, resubmittal instructions
- ❖ CPG Chair receives copies of all AL's
- ❖ AL available approx. 5 weeks after 1st submittal
- ❖ AL prepared for each subsequent review
- ❖ Most CPGs won't hear projects before 1st AL

## Tips for Successful CPG Review

- ❖ Focus on conformity with the Community Plan
- ❖ Frame issues within the permit findings
- ❖ Take formal action (avoid continuances)
- ❖ Project review should be timely
- ❖ Communicate with City Project Manager via Chair
- ❖ Approve meeting minutes as soon as possible

## Project Conditions


- ❖ Must have a nexus (connection) to impact
- ❖ Must have a trigger (i.e. prior to building permit)
- ❖ Proportional to scope and requested action
- ❖ Enforceable and measurable
- ❖ Some conditions may not be included in permit
- ❖ Applicant may or may not agree to conditions

## CPG Recommendations

- ❖ Include actual vote count
- ❖ List conditions, does applicant agree?
- ❖ Provide backup documentation
- ❖ Relate to permit findings
- ❖ Email to DPM, sooner the better!
- ❖ Written recommendation is your primary tool

# Hearing Staff Reports

**CPG****Recommendation**

  
THE CITY OF SAN DIEGO

**REPORT TO THE HEARING OFFICER**

HEARING DATE: May 20, 2015      REPORT NO. HO-15-072

ATTENTION: Hearing Officer

SUBJECT: **LOGAN AVENUE MAP WAIVER - PROJECT NO. 393899**

LOCATION: 2762 Logan Avenue and 2761 Marcy Avenue

CANDIDATE: Keyrock Investments, LLC

SUMMARY

Issue(s): Should the Hearing Officer approve a tentative map waiver to allow a two unit condominium conversion project?

Staff Recommendation(s) – **APPROVE** Tentative Map Waiver No. 1380543.

**Community Planning Group Recommendation** – On March 10, 2015, the Southeastern San Diego Community Planning Group voted 10-0-0 to recommend approval of the project with the condition that landscaping and all fences and walks should meet City standards (Attachment 9).

**Environmental Review:** The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(k) (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 19, 2015 and the opportunity to appeal that determination ended March 5, 2015.

BACKGROUND

The 7000-square-foot project site is located at 2762 Logan Avenue and 2761 Marcy Avenue in the MF-3000 Zone of the Southeastern San Diego Planned District (SESDDP) within the Southeastern San Diego Community Plan area (Attachments 1, 2). The Southeastern San Diego Community Plan designates the proposed project site for Low Density Residential at a density range of five to ten dwelling units per acre (Attachments 3). The site is surrounded by residential development and within an urbanized portion of the city developed since the early 1900's with residential uses. The property is legally described as Lots 39 and 40 in Block 3 of Reed and Hubbell's Addition according to Map No. 327, filed June 30, 1886.

- CPG vote a critical component of the process
- CPG vote included prominently in all staff reports
- CPG's concerns addressed in Report
- CPG's minutes included as report attachment





## Hearing Staff Reports

- Hearing Staff Reports available on-line
- Hearing Officer:

<http://www.sandiego.gov/development-services/industry/hearingofficer/reports/index.shtml>

- Planning Commission:

<http://www.sandiego.gov/planning-commission/documents/pcreports/index.shtml>

- City Council:

<http://www.sandiego.gov/city-clerk/index.shtml>



# Contacting Development Services

- ❖ Project Management:  
(619) 446-5220
- ❖ Development & Permit Information:  
(619) 446-5000
- ❖ Code Enforcement:  
(619) 236-5500
- ❖ General Information:  
(619) 446-5000
- ❖ Internet:  
<https://www.sandiego.gov/development-services/>

# CPG Governing Documents

Community Planning Group Bylaws

Council Policy 600-24

Administrative Guidelines

Indemnification Ordinance

## Brown Act Influences

- ❖ Meeting requirements
- ❖ Transparent & open deliberations
  - Avoid collective concurrence
  - Avoid serial meetings
- ❖ Public right to attend & provide comment
  - Notice requirements
  - Agenda descriptions
  - Items not on agenda

## Robert's Rules of Order

- ❖ Referenced in Council Policy 600-24
- ❖ Provides rules governing meeting procedures
- ❖ Structure of meeting agenda and debate
- ❖ Motions and voting rights
- ❖ Role of chair

# Purposes of Parliamentary Procedure

- ❖ Ensure majority rule
- ❖ Protect rights of the minority, absentees and individual members
- ❖ Provide order, fairness and decorum
- ❖ Facilitate the transaction of business and expedite meetings

## Principles of Parliamentary Procedure

- ❖ All members have equal rights, privileges and obligations
- ❖ A quorum must be present for the group to act
- ❖ The chair remains impartial
- ❖ No person may speak until recognized by the chair
- ❖ Personal remarks are out-of-order
- ❖ Provides full and free discussion of motions
- ❖ Only one question at a time may be considered, and only one person may have the floor at any one time
- ❖ Members have a right to know what the immediately pending question is and to have it restated before a vote is taken
- ❖ Silence gives consent. Those who do not vote allow the decision to be made by those who do vote

## Role of Chair

- ❖ Applies rules of conduct
- ❖ Convenes and presides over meeting
  - Determines quorum present
  - Introduces business
  - Recognizes speakers
  - Determines if a motion is in order
  - Maintains order and keeps discussion relevant
  - Puts motions to a vote
- ❖ Makes final determination on rules as part of conducting meeting
- ❖ Takes less prominent role in debate or discussion as a courtesy
- ❖ Represents the community planning group and actions taken



## Meeting Preparation

### Agenda Preparation

- ❖ Include item for non-agenda public comment
- ❖ May have a *consent* agenda with the understanding that someone in attendance may request an item be discussed
- ❖ List items, with brief description, as either *information* or *action*
- ❖ Information Items
  - Group cannot take action/vote
  - Informal comments that do not constitute an action are permitted
- ❖ Action Items
  - If listed as an action item, CPG must take action



# Meeting Preparation

## Agenda Posting

- ❖ Post at least 72 hours prior to meeting in accordance with Brown Act
- ❖ Post at meeting facility or at another place freely accessible to the general public
- ❖ Electronic posting to City's website as courtesy – Send to: [SDPlanningGroups@san Diego.gov](mailto:SDPlanningGroups@san Diego.gov)
- ❖ If a planning group has a website, post at least 72 hours prior to meeting
- ❖ Make agenda and back-up materials available to the public at the meeting

## Meeting Management

### Assure a Quorum to Conduct Any Business

- ❖ Chair confirms quorum to start the meeting; if quorum is lost during meeting, suspend discussion
- ❖ Confirm a quorum prior to calling for a vote on an action item
- ❖ The only actions that can be taken in absence of a quorum are:
  - Decide to adjourn or recess
  - Take measures to obtain quorum

### Changes to the Publicized Agenda

- ❖ Items may be added to the agenda only if need for immediate action and clearly known after posting agenda
- ❖ Requires 2/3rds of the voting members of the planning group, or unanimous vote if less than 2/3 of the voting members are present

# Meeting Management

## Comments from those in Attendance

- ❖ Allow non-agenda public comment near beginning of meeting
- ❖ Allow public comment on information items and action items

## Public Attendance and Sign-In

- ❖ Be clear that signing-in is voluntary except to meet election requirements

## Recording the Meeting

- ❖ Allowed if not disruptive
- ❖ If a member is recording for personal use, not a public record

## Maintaining Civility

- ❖ Anticipate disruptive behavior; set meeting tone/consequences
- ❖ May use CP600-24 [Brown Act-based] provisions to clear room

# Meeting Management

## Motions

- ❖ A basic motion puts forward a decision for consideration
- ❖ Subsidiary motions change or affect how the main motion is handled
  - A motion to amend changes the basic motion
  - A substitute motion places a new motion and removes the basic motion from consideration
- ❖ There can be up to three motions on the floor at the same time
- ❖ Substitute motions and motions to amend are taken first as they modify the basic motion
- ❖ All motions are debatable except to adjourn or recess
- ❖ Motions that end debate require a 2/3rds vote
  - Postpone indefinitely avoids a direct vote on the question but allows discussion of merits of main motion by majority vote

## Meeting Management

### Motions

- ❖ Time management
  - Add a disclaimer noting that times listed for agenda items are estimates
  - Time limits on public comment are acceptable if applied equally
- ❖ Clarifying the motion
  - Take the time to clarify the motion before a vote is taken
- ❖ Recording the vote
  - Record the number for, against, and number abstaining, and WHO made each vote; also record speakers and nature of public testimony

## Meeting Management

### Voting

- ❖ Recent revisions to Council Policy 600-24 in 2014 clarified voting requirements and added requirements for specific items.
  - These requirements are listed in Council Policy 600-24, Article VI, Section 2, (a) (8) (b)
- ❖ Voting requirements make a distinction between total planning group voting members and those at the meeting (quorum)
- ❖ Several items require a 2/3rds vote of total voting members such as bylaws amendments and community plan updates/ amendments
- ❖ Development projects require a majority of the quorum present

# Recusal vs. Abstention

## Recusal

**Direct Economic Interest in the project**

Member must state that they are recusing

Member must not participate in discussions as a planning group member

Recused member does not count towards quorum

Recused member may not vote (not calculated in majority vote)

## Abstention

**State up-front (Preferred)**

Knowing you will not be voting on the action item

Counts as a quorum

Vote counted as abstention (not calculated in majority vote)

**Not known up-front**

Declare abstention at the end of the discussion

Counts as a quorum

Vote counted as abstention (not calculated in majority vote)



## Abstention and Recusal Example

A motion is made for a development project on the action agenda. There are twenty seats on the planning group, including one vacancy. Eighteen members are present at the meeting. Two members recuse and one member declares abstention.

- ❖ The action is on a development project which requires a majority vote of members present constituting a quorum
- ❖ The two recusals do not count towards a quorum reducing the eligible voting members to 16 present
- ❖ The one abstention does count in the quorum leaving the eligible voting members at 16
- ❖ A majority of 16 members is 9

# Vacancies

- ❖ Council Policy 600-24 states that two or more concurrent vacancies must be filled by a vote of all eligible members of the community by secret written ballot
- ❖ A single vacancy is filled in accordance with adopted bylaws processes. If a single vacancy is filled by appointment of the community planning group as an agenda item, that vote must be disclosed at the time of voting and recorded in the minutes. That is: the vote should be a voice vote; however, if done by written ballot, the ballot must contain the voter's name and when ballots are collected, the Chair or Secretary must announce the vote. If the vote is not unanimous, those voting for the candidate, not voting for the candidate, or those abstaining, must be disclosed

## Subcommittees

- ❖ Standing subcommittees
  - Regular meetings on specific topics
  - Must be noticed and held in publically accessible location
- ❖ Ad hoc subcommittees
  - Established for a finite period of time
  - Meetings open to public
  - Noticed on website and/or on regular CPG Agenda
- ❖ Composition
  - Must be comprised of majority of CPG Members
  - Non-planning group members also allowed
- ❖ Recommendations must be made to the planning group, not directly to the City

## Meeting Records

- ❖ Community Planning Groups are subject to public records act requests as identified in the Brown Act; records must be available to the public upon request
- ❖ Agendas and meeting materials must be provided upon request. This includes all supporting materials
- ❖ Records collected by the City about community planning group membership or operations is public information under the California Public Records Act. This information becomes a City record subject to the City's records retention requirements
- ❖ Rosters, minutes and annual reports are records required to be submitted to City



## E-COW Preview

- ❖ E-COW is available through the Planning Department Website for new members unable to attend the COW which is offered in May each year
- ❖ The E-COW leads users through key content of Council Policy 600-24 and presents questions, answers and explanations
- ❖ <https://www.sandiego.gov/planning/community/resources/cow/ecow>

## CPG Reference Materials

- ❖ Council Policy 600-24
  - [http://docs.sandiego.gov/councilpolicies/cpd\\_600-24.pdf](http://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf)
- ❖ Administrative Guidelines
  - <https://www.sandiego.gov/sites/default/files/legacy//planning/community/pdf/adminguidelinesfinal10sept2015.pdf>
- ❖ Community Planning Group Bylaws
  - <https://www.sandiego.gov/planning/community/cpg/bylaws>



# Contact Information

### ❖ Planning Department

- Telephone: (619) 236-5200
- CPG Email: [SDPlanningGroups@san Diego.gov](mailto:SDPlanningGroups@san Diego.gov)
- Website: <http://www.sandiego.gov/planning/>
- Nancy Bragado: [NSBragado@san Diego.gov](mailto:NSBragado@san Diego.gov)
- Bernie Turgeon: [BTurgeon@san Diego.gov](mailto:BTurgeon@san Diego.gov)

### ❖ Development Services Department (see slide 26)