



CITY OF SAN DIEGO

Community Orientation Workshop Handbook

COW 2007

This handbook accompanies the Community Orientation Workshop
– a discussion of the roles and responsibilities of the community
planning volunteers as they relate to Citywide planning issues,
community plan preparation, and the development and regulatory
processes of the City

Also, refer to
www.sandiego.gov/planning/community/cow.shtml
for updates to this handbook.

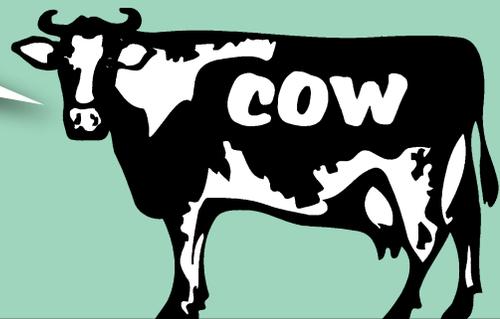


TABLE OF CONTENTS

CITY OF SAN DIEGO GENERAL INFORMATION

Key City of San Diego Decision Forum.....	A-3
Council District Map.....	A-6
City Facilities and Addresses.....	A-7

PLANNING HISTORY

Lynne Carrier.....	B-3
--------------------	-----

COMMUNITY PLANNING GROUPS

Community Planning Area Maps.....	C-3
Council Policy Number 600-24.....	C-5
Administrative Guidelines for Council Policy Number 600-24.....	C-47
Legal Indemnification Ordinance Number O-17086.....	C-111
Application of Brown Act to Community Planning Groups.....	C-119
Elections Handbook.....	C-123

THE CITY LAND USE PLANNING PROCESS

General Plan Update.....	D-3
The Community Planning Process.....	D-7
Community Planning Process Chart.....	D-15
Facilities Financing.....	D-17
Development Fees.....	D-20
Multiple Species Conservation Program.....	D-27

THE DEVELOPMENT PERMIT AND ENVIRONMENTAL REVIEW PROCESS

Introduction: The Development Review Process.....	E-3
The Development Review Process.....	E-5
Roles and Responsibilities in the Review Process.....	E-18
Information Bulletin 620: Community Planning Committees	E-18
The Land Development Code and Review Process.....	E-23
Tips for Successful Committee Input on Development Projects.....	E-39
Learning to Read Plans.....	E-39
Information Bulletin 620: Community Planning Committees and Distribution Forms	E-57

THE NEIGHBORHOOD CODE COMPLIANCE PROCESS

Summary of Code Enforcement Process.....	F-3
How to Report a Complaint.....	F-5
Code Enforcement Process.....	F-6
Neighborhood Code Compliance Department Key Contacts.....	F-7
Volunteer Code Enforcement Programs.....	F-8

COMMUNITY SERVICE CENTERS

Center Services.....	G-3
Select A Center List – Map.....	G-4

HOUSING COMMISSION

General Information.....	H-3
Housing Statistics.....	H-6

APPENDICES

Planning Acronyms.....	I-3
City of San Diego Publications List.....	I-5



THE CITY OF SAN DIEGO

June 23, 2007

Community Planning Group Members:

Thank you for participating in the City's Community Orientation Workshop. As a community planning group member, you are an important component of the land use planning process. The City of San Diego values your input and recognizes the responsibilities entrusted to you. The City Council has established Council Policy 600-24 as the operating procedure for recognized community planning groups. One provision of Council Policy 600-24 calls for community planning members to attend this orientation workshop.

Understanding your role and responsibilities as outlined in Council Policy 600-24 is the most important aspect of the session, as your planning group's actions can be legally indemnified by your having attended this workshop and by your acting in accordance with Council Policy 600-24 and your approved bylaws. City staff will explain your role and responsibilities as a planning group member, and will provide you with an overview of existing and new processes that are City-community partnerships. While the orientation workshop is not intended to provide technical instruction, you will very likely find that you will gain greater appreciation for the complexities of the development review and land use planning processes by having attended the workshop. This understanding will augment the quality of your participation as a community planning group member.

Thank you for attending this workshop. Your participation in this process is greatly appreciated

Sincerely,

William Anderson, FAICP
Director, City Planning & Community Investment

Marcela Escobar-Eck
Development Services Director

WA/MEE/mp

City Planning and Community Investment
202 C Street, MS 5A • San Diego, California 92101-3865
(619) 236-6479 • (619) 236-6478 (FAX)

CITY OF SAN DIEGO

GENERAL INFORMATION

KEY CITY OF SAN DIEGO DECISION FORUMS

THE MAYOR

Effective January 1, 2006, the City of San Diego changed from a City Manager form of government to a Strong Mayor form. Approved by voters in November of 2004, the Strong Mayor form of government will remain in place through December of 2010 when voters will need to decide whether to make the change permanent.

Under the Strong Mayor form of government, the Mayor is the City's chief executive officer and assumes the responsibilities previously held by the City Manager. These include administering the operations of the City, hiring managers, preparing the annual budget and recommending actions to be taken by the City Council.

THE CITY COUNCIL

In addition to the Mayor, who is elected by all City voters, the City Council is made up of eight nonpartisan Councilmembers who are nominated and elected by district. Members serve overlapping four year terms, with Council elections occurring on odd-numbered years (Districts 1, 3, 5 and 7 elected in 1993, 1997, etc., Districts 2, 4, 6 and 8 elected in 1995, 1999, etc.) The City Council elects one of their members to serve as Council President for a one year term.

The City Council is San Diego's governing legislative body. It is responsible for the City's laws, policies, and programs. As representatives of the citizens, members of the Council have certain authority delegated to them by the City Charter. The Council has the authority to approve all ordinances; resolutions and contracts; adopt the annual budget and provide for revenues; and make or confirm appointments to various City Boards and Commissions.

The Council is organized into five standing committees to facilitate the legislative process: Rules, Open Government and Intergovernmental Relations; Natural Resources and Culture; Land Use and Housing; Public Safety and Neighborhood Services; and Budget and Finance. Each of the five committees meets once or twice a month to hold public hearings and review legislation and departmental actions before such matters are considered by the full Council.

In addition to regular weekly City Council and committee meetings, the Council meets as the San Diego Housing Authority and the San Diego Redevelopment Agency.

Legislative programs from the state and federal government that affect San Diego are developed for City Council approval by the Department of Intergovernmental Relations. This department maintains offices in Washington D.C., and Sacramento, and it works with federal and state legislatures, agencies and departments on matters of interest to San Diego.



City Council Meetings

The City Council meets weekly in the Council Chambers on the 12th floor of the City Administration Building. Except for holidays or special adjournments, the full City Council meets weekly on Monday afternoon and all day Tuesday. Planning matters are most often heard on Tuesday.

All Council meetings are open to the public, except for "closed sessions", when the Council discusses personnel or judicial matters. Taking part in the Council meetings are the eight Councilmembers, the City Attorney, the City Clerk and interested citizens.

Council Meeting Procedures

At least five members of the eight-member Council must be present to constitute a quorum. If there is a quorum, the City Clerk "calls the roll" or takes attendance, and the Council begins to transact the City's business.

The Council's business is listed on a printed "docket" or agenda. The Council proceeds item by item on the docket. As consideration of each item is ended, a vote is taken by the Council to approve or reject the item, or to refer it for further study, continue it until a later meeting, file it or take other action. The web site address to access City Council agendas is <http://clerkdoc.sannet.gov/Website/city-docket>.

Many of the items on the Council docket have been studied and debated in Committee meetings or have been the subject of written reports from the Mayor's Office or the City Attorney before the Council meets in full session. This procedure permits some items to be acted upon routinely. Other items may call for an extended public and Council discussion before a vote is taken. Any member of the public may be heard on an item, as long as a form with the person's name and address is filled out ahead of time. These forms can be obtained in the Council Chambers or in the 12th floor hallway. Normally, a limit is placed on the amount of time allowed each speaker. Members of the Council then discuss the item and ask the members of the Council to vote. A telephone line to listen to the Council hearing over the phone from remote locations is available at 619-533-4001. The web site address for the San Diego City Council is: <http://www.sandiego.gov/city-council/>.

PLANNING COMMISSION

Duties:

Conducts hearings on special use permits, all re-zoning, all community plans, and the General Plan. Considers land use ordinances and such other improvements as Council may, or by ordinance, determine. The Planning Commission meets weekly on Thursdays. The web site address for San Diego Planning Commission is <http://www.sandiego.gov/planning-commission/>.

Appointment:

Appointed by the Mayor and confirmed by the City Council.



HISTORICAL RESOURCES BOARD

Duties:

To advise the Mayor, City Council, City Planning Commission, and Park and Recreation Board resources in the City. The Historical Resources Board's monthly agendas can be accessed at: <http://www.sandiego.gov/historical/agenda.shtml>. Complete details regarding the Historic Resources Board can be found in Section 111.0206 of the Land Development Code.

Appointment:

Appointed by the Mayor and confirmed by the City Council.

SAN DIEGO HOUSING COMMISSION

Duties:

Investigate and improve dwelling conditions in the City of San Diego. Review and recommend revisions, actions, including recommendations on all matters before the Housing Authority. Approve plans, specifications, agreements, expenditures and such other matters as the Housing Authority may from time to time delegate by resolution to the Commission. The web site for the San Diego Housing Commission is:

Appointment:

Appointed by the Mayor confirmed by the City Council. If the Mayor does not appoint a member within 45 days after a vacancy occurs, the Council shall make such appointment. Councilmembers may be appointed as members of said Commission in those membership positions other than the two (2) low-income tenant positions.

PARK AND RECREATION BOARD

Duties:

Advise the Council on public policy matters relating to the acquisition, development, maintenance and operation of parks, beaches, playgrounds, and recreational activities; review the recreational program; coordinate the work of such committees as may be established; conduct investigations, studies and hearings.

Appointment:

Appointed by the Mayor and confirmed by the City Council.

HEARING OFFICER

Duties:

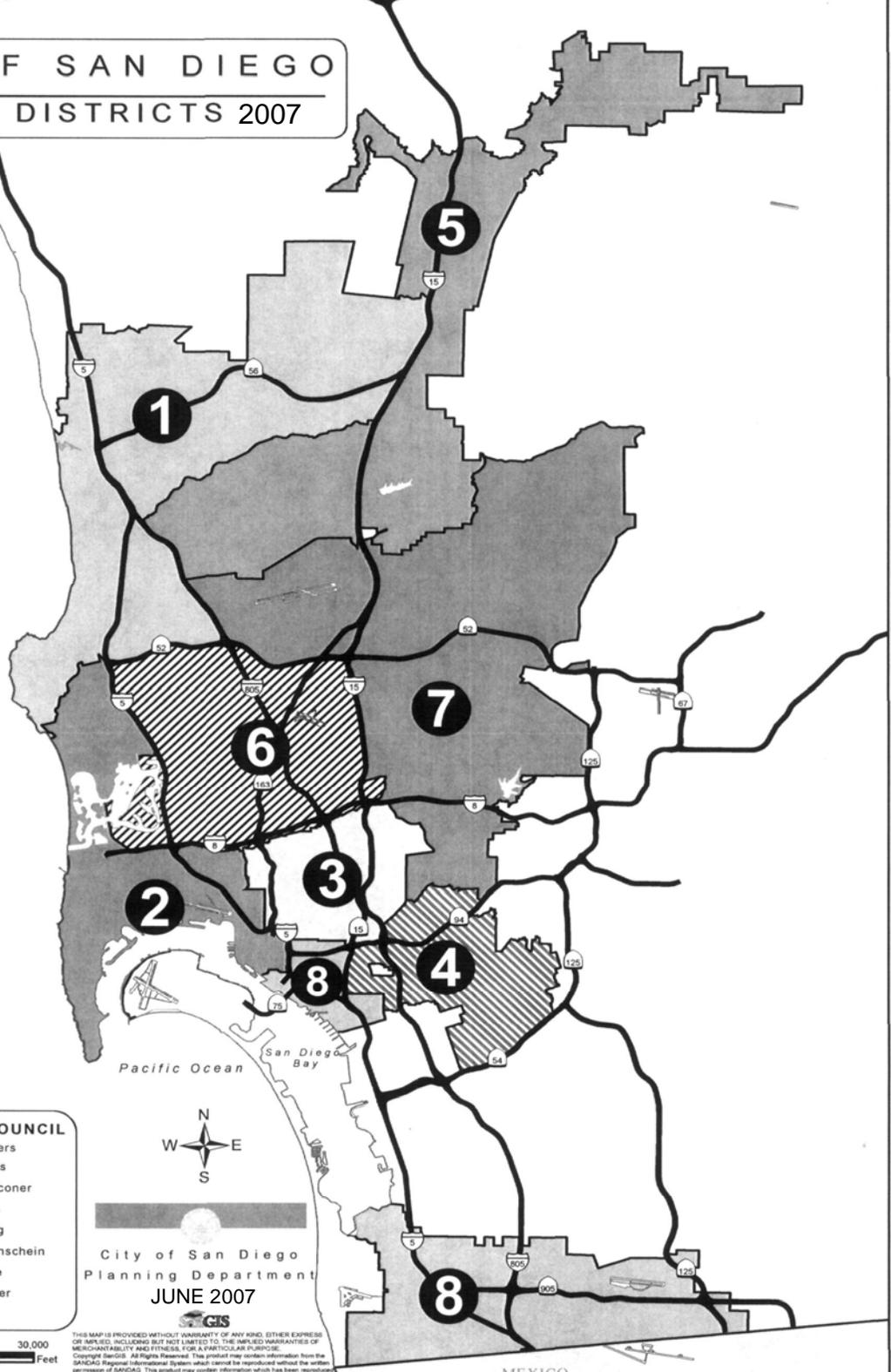
The Hearing Officer acts as the decision maker for permits, maps, and other matters in accordance with the decision-making procedures of the Land Development Code. The Hearing Officer shall preside at a public hearing and make an impartial decision on a permit, map, or other matter based on the application, written reports prepared prior to the hearing, and information received at the hearing.

Appointment:

To be determined under the new form of government structure.



**CITY OF SAN DIEGO
COUNCIL DISTRICTS 2007**



- MAYOR AND CITY COUNCIL**
 MAYOR - Jerry Sanders
 1ST DISTRICT - Scott Peters
 2ND DISTRICT - Kevin Faulconer
 3RD DISTRICT - Toni Atkins
 4TH DISTRICT - Tony Young
 5TH DISTRICT - Brian Maienschein
 6TH DISTRICT - Donna Frye
 7TH DISTRICT - Jim Madaffer
 8TH DISTRICT - Ben Hueso

City of San Diego
 Planning Department
 JUNE 2007

0 10,000 20,000 30,000 Feet
 tgaloway/4-06/Council Districts 2006.mxd

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Copyright SanGIS. All Rights Reserved. This product may contain information from the SANDAG Regional Informational System which cannot be reproduced without the written permission of SANDAG. This product may contain information which has been reproduced with permission granted by Thomas Brock, Mayor.

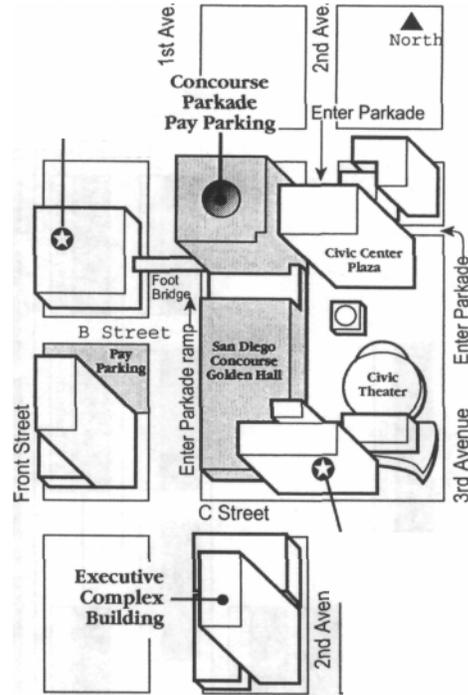


City Of San Diego Facilities & Addresses

Directions to:

City Administration Building,
Civic Center Plaza and Executive Complex

- From Interstate 5 South:
Exit Front Street, turn Right on
2nd Avenue and continue
straight to A St.
- From Interstate 5 North:
Exit 6th Avenue (turn left),
continue to Ash Street, turn
Right on Ash, continue to 2nd
Avenue and turn left.
- From Highway 163:
Exit Ash Street, and turn Left on
2nd Avenue.



CHARLES C. DAIL CONCOURSE AND VICINITY

CITY ADMINISTRATION BUILDING
202 C Street
San Diego, CA 92101

DEVELOPMENT SERVICES CENTER
1222 First Avenue
San Diego, C A 92101

4th Floor Community Planning
 General Plan
 Historical Resources Board

2nd Floor Engineering Maps & Records
3rd Floor Development Services Reception
 Development & Permit Information
 Project Management
 Permit Submittal and Issuance
4th Floor Building Development Review
5th Floor Land Development Review

5th Floor Planning Administration
 MSCP
 Transportation Planning

EXECUTIVE COMPLEX
1010 Second Avenue
San Diego, CA 92101
6th Floor Facilities Financing

CVIC CENTER PLAZA
1200 Third Ave.
San Diego, CA 92101
1st Floor Treasurer's Cashier &
 Business License Tax, Employment Info.

WEB ADDRESSES

- City of San Diego Website<http://www.sandiego.gov/>
 Development Services<http://www.sandiego.gov/development-services>
 City Planning and Community Investment.....<http://www.sandiego.gov/cpci/index.shtml>
 General Plan Update<http://www.sandiego.gov/general-plan>



PLANNING HISTORY

LYNNE CARRIER

San Diego: Looking To The Future

By Lynne Carrier

Introduction: A Young City

San Diego has the location and the physical foundation in general for an important, perhaps a great city. Its people are awake to its needs, and are resolved to meet them. It stands, therefore, upon the threshold of a truly sound and far-reaching development; for, when to superb natural advantages and human enterprise are added a sound public policy and a comprehensive plan of action, who can doubt the outcome?

-- John Nolen, 1908 --

When City consultant John Nolen wrote these words — a preface to San Diego's first grand vision statement of the 20th century he sounded an enduring clarion call for good planning. He looked at a young city (population less than 40,000) with most of its growth ahead of it, and imagined what it could become.

With so much of the urban canvas still blank, this was no easy task. In his time, the heart of San Diego retail lay in the small area around Fifth and Broadway downtown. The first modern shopping center, built in Linda Vista, would not materialize for another 40 years.

In 1908, a home buyer could still purchase a lot and order a custom-built California bungalow from catalogues at a cost of a few thousand dollars. The era of mass-produced urban tract homes that would dramatically increase housing and forever change the suburban landscape was decades off. And with San Diego only beginning to emerge from its horse-and-buggy days, who could have predicted a society dependent on cars? When Nolen spoke of building wider highways, he was thinking of European-style boulevards, not the freeways that would become vital transportation arteries.

Still, in its broadest outline, the Nolen plan laid out guiding principles that have been echoed in succeeding plans, both official and unofficial. Against the backdrop of what Nolen considered San Diego's "permanent attractiveness beyond all other communities," he envisioned development of a civic center of downtown public buildings, more urban open space, parks and playgrounds and a bayfront with promenades and public amenities — all of them goals as valid today as when Nolen first wrote about them. At the top of the list? Building a city to capitalize on its many natural assets and climate.

"The scenery is varied and exquisitely beautiful," rhapsodized the landscape architect from Massachusetts. "The great, broad, quiet mesas, the picturesque canyons, the bold line of distant mountains, the wide hard ocean beaches, the great Bay, its beauty crowned by the islands of Coronado, the caves and coves of La Jolla, the unique Torrey Pines, the lovely Mission Valley, these are but some of the features of the landscape that should be looked upon as precious assets to be preserved and enhanced."



His emphasis on developing a functional and beautiful city, harmonizing with an equally beautiful natural setting, is a theme often repeated in the 14 other plans and studies discussed in this document. Some are official planning documents offering comprehensive guidelines for the entire City. Others represent the visions of the City's leaders and planning consultants, and although never officially adopted, they often influenced the shape of municipal and regional planning debates. Some are broad and general, while others focus more narrowly on neighborhood or economic issues. But collectively, the plans and reports offer a rich mosaic of visions expressed during the course of the City's 20th-century development.

Knowing what planners, City officials and civic leaders hoped would happen makes it easier to measure their goals against present realities and to measure which ideas materialized and which did not, which are still relevant and which are not. Examining their goals and strategies is a guide to where the City has been. As San Diego prepares to update its General Plan at the end of the 20th Century, the review is also meant to serve as useful background for those who will help determine where the City will go in the 21st century.

Most of the plans and reports discussed here were prepared during the past 25 years, a time of booming growth and occasional recessions, crumbling inner-city's infrastructure, traffic congestion and the need for downtown revitalization, neighborhood empowerment and new jobs.

Despite the diversity of challenges, virtually all the plans share some common visions: They seek to preserve the character of neighborhoods and decentralize services for them. They foster creation of employment and housing opportunities for all San Diegans. They take a regional perspective on a wide range of issues, from housing to public transportation, and treat Mexico's Baja California as an important element in the San Diego region. They support clear growth guidelines, development of a diverse economy, plenty of clean industry, an improved public transit system and well-maintained City services and structures.

San Diego's Planning Roots

City officials and civic leaders approach these goals through a planning process that has evolved from Nolen's earlier work, although few recognized its significance at the time his study first surfaced. More than a decade later, Nolen's planning skills would be tapped again when San Diego officials decided to pay the Boston consultant \$10,000 to draft a plan for the City, harbor and parks. Completed in 1926, the plan became a cornerstone of urban design and marked the advent of the City's official planning process. A Planning Department was formed, and Kenneth Gardner, a Nolen employee, was named its first Planning Director.

During the Depression years that followed, the tough economic times did nothing to diminish San Diego's civic pride. City leaders staged the Californian Pacific Exposition of 1935-36. It was a follow-up to the successful Panama-California Exposition of 1915-16, which gave Balboa Park its historic Spanish-Moroccan style architecture on the park's Prado. Along the downtown waterfront, a new civic center was built, a Works Project Administration project that remains a handsome jewel on the bay.

Meanwhile, the City's fledgling planning process entered its halcyon days. In 1931, voters approved a new council/manager form of government that allowed the Planning Department to



function separately from the City Manager. A zoning ordinance was approved. The Works Progress Administration funded a textbook on City planning for schools. But many of these efforts took place when development pressures on elected leaders were almost nonexistent.

Postwar Boom

It fell to the next generation to draw in the details of the plans that struggled to reconcile the desire to protect San Diego's environment and quality of life with the gritty realities of economic forces and rapid development. World War II and its aftermath had turned San Diego into a busy center for military bases and defense work. Starting in the 1950s, the “great, broad, quiet mesas” admired by John Nolen began to fill with factories, homes and highways, and the “lovely Mission Valley” turned so urban that some called it a second downtown.

The City responded but not without a struggle. Voters rejected the 1965 plan and the City had to come up with a new one. By 1967, the City had approved a Progress Guide and General Plan that included some of the fundamentals of the future growth management plan, from compact development to preserving open space. The City was not only looking to modernize its policies, it sought to democratize the planning processes as were established to give residents and others more of a voice. More than 40 of these groups currently exist.

Rapid growth in the 1950s and 1960s brought its share of civic amenities and landmarks to San Diego, among them the creation of Mission Bay Park, Sea World, a stadium, a sports arena and a new City Hall and Civic Theatre on a downtown community concourse. Such projects were applauded. The real growth debate moved to the suburbs, where thousands of tract homes, serviced by strip malls, were going up.

As growth accelerated, environmentalists argued urgently for more protections, from the coastline to the inland canyons and mesas, where bulldozers leveled mesa tops and filled canyons for housing. At the state and local level, voters showed their desire to protect their natural assets. During the 1970s, the California Coastal Commission was created to protect the coastline and push for development of local coastal programs from coastal communities, among them San Diego. In 1978, San Diegans passed a bond measure to raise money to acquire open space.

Pete Wilson, who was elected San Diego's mayor in 1971, hardly had a chance to warm his mayoral chair before the buyers of Mira Mesa tract homes were picketing City Hall. Their new subdivisions lacked schools and other public services. Wilson, who later went to the U.S. Senate and then became governor of California, put the City's planning issues at the top of his political agenda.

Growth Management and Redevelopment

For San Diego, 1975 proved to be a watershed year. The City Council adopted a growth management plan structured around the timing and location of development and a mechanism for shifting the public costs of building and installing public services to the developers. The same year, the council created the Centre City Development Corp., the City's downtown renewal arm.



These planning accomplishments stirred a measure of controversy, particularly over suburban development. Debate raged over whether the City should use its powers to slow growth or simply accommodate residential construction in a more orderly way.

Two sweeping planning visions from the 1970s — the unofficial *Temporary Paradise?* report and the City Council-approved Progress Guide and General Plan — reflected the nuances of the differing points of view. *Temporary Paradise?* published in 1974 by consultants Kevin Lynch and Donald Appleyard and funded through a grant from the Marston family, urged stronger environmental planning and offered ideas for balancing growth, new infrastructure and ecology.

The report advocated slowing, though not altogether halting, the rapid development of the inland suburbs. The consultants warned the City could not rely on zoning and subdivision control to “stem the tide of development.”

“Experience shows that those familiar devices are often impotent where development pressures are strong, and there is no established community to make a resistance,” noted the report.

Among the ideas for putting on the brakes, the report suggested controlling growth by having the City extend services gradually to outlying areas, not at the developers' request. Developers would then be forced to wait in areas still lacking public services. The report also recommended reducing the size of the subdivisions that any one developer could build. And new development would be expected to pay for all the public services it required, “not only the initial construction costs, but the running costs, and those more intangible losses of traffic, smog, wasted water, and so on.”

City officials did not include the report's most extreme development-slowing tactics in the City's growth management plan adopted five years later. Slow-growth opponents argued that restricting construction was an elitist idea that would boost housing prices beyond the means of less affluent San Diegans.

Nevertheless, the City's growth management plan did incorporate, in part, the idea of making new development pay for itself one of the concepts embraced by the *Temporary Paradise?* authors. In 1979, when the City Council adopted the new Progress Guide and General Plan, it incorporated the previously approved growth management requirement that developers pay fees in advance to cover the cost of installing parks, roads, branch libraries, schools and other services as a condition of project approval. At the time, City officials did not realize how crucial that requirement would become. They did not anticipate the eventual municipal budget fallout caused by Proposition 13, the statewide tax-cutting initiative approved by voters in 1978. Initially, the state was able to cushion the fiscal blow to local governments by distributing state budget surplus money. So during the 1979 debate on the general plan, no loud Proposition 13 warning bells went off.

In contrast to the growth “retardation” recommended in *Temporary Paradise?*, under the growth management philosophy of the General Plan, the goal was not so much to limit construction as to avoid “leapfrog” development and the cost of urban sprawl. On the recommendation of City consultant Robert Freilich, the growth management plan separated the City into three tiers: urbanized, planned urbanized and future urbanizing. Construction was encouraged in established



neighborhoods and suburban areas already undergoing development. Residential construction was to be discouraged in the future urbanizing area, the vacant land on the City's peripheries. The plan also called for the preservation of open space.

While not perfect, the growth management plan seemed to function. Its policies provided a framework for development through a recession in the late 1970s and early 1980s into a period of massive development in the mid-1980s when the number of building permits topped more than 15,000 a year, about triple the normal number.

Citizen Reactions

During the height of the development bonanza, the council was under increasing pressure to take stronger growth control action. Council actions viewed as unduly hastening development ran into trouble. For instance, the public strongly backed the growth management plan's concept of reserving vacant land for future development, so much so that voters rebelled when the City Council approved a religious organization's proposal for a university, thousands of homes and an industrial park in the future urbanizing area. In 1985, they passed a ballot measure, Proposition A, which not only rescinded the council's approval for the massive development proposal, it required a vote of the people for any early development at a higher density in the future urban zone.

Responding in part to the growing public outcry and the formation of grass-roots slow-growth groups like PLAN! (Prevent Los Angelization Now) the council acted in 1987 to impose a true growth limit, the Interim Development Ordinance. It allowed 8,000 new units citywide per year and lasted for about 18 months. The voters may have believed the restrictions had gone far enough. In 1988, voters faced two growth control ballot measures for the City and another two for the county. All four were strongly opposed by both the development industry and business community, and all four went down to defeat. But the voters did approve a countywide advisory measure, Proposition C, which encouraged cooperation in regional planning. In its aftermath, the San Diego Association of Governments, with 18 cities and the county as members, drafted and approved a regional plan that dealt with countywide economic and environmental issues ranging from housing to open space protection.

Meanwhile, in the older urban neighborhoods, the growth management plan worked a little too well, often filling up its vacant lots or replacing old homes with small, dense apartments and condos. That is what the plan intended, and as an incentive, developers in those neighborhoods were exempt from the fees imposed on suburban developers. But neighbors complained the new housing was poorly designed, created traffic and parking headaches, caused school overcrowding and overwhelmed an already deteriorating infrastructure. The City had little funding to shore up public services as Proposition 13 began to take its fiscal toll on local government revenues. While the vision of compact development took shape, its financial implications went slightly awry.

Recession Slowdown, “Business Friendly”

The era of growth management wound down at the turn of the decade as the supply of available raw land dwindled and San Diego's economy went into a tailspin. Slow-growth advocates finally got their wish: The recession nearly brought development to a standstill. But it also hit the



business community hard and cost workers tens of thousands of jobs. Many defense contractors downsized or left town, and the City struggled to diversify its economy.

In that atmosphere, Mayor Susan Golding took office in 1992, promising business-friendly policies. Planning regulations were deemed too numerous and onerous, and some were streamlined out of existence. Community planning group leaders were dismayed, fearing that neighborhood planning would suffer.

Golding countered with measures aimed at helping neighborhoods revitalize and noted that the City had to act to boost its employment base and help diversify the economy. Between 1990 and 1993, the local economy lost 58,500 jobs, she noted.

“Over the past several years, the mayor and City Council have reshaped City Hall into a partner to progress rather than an obstacle,” she said in “Charting a Course for the 21st Century,” her 1996 economic plan. “Many regulations and policies that have impeded progress have been eliminated. Onerous fees and taxes have been slashed. Our permit processing systems have been overhauled and streamlined to reflect a new business friendly attitude at City Hall.”

During the 1990s, City planning grew less and less visible. In 1991, the Planning Department and the Planning Director, previously an official who answered directly to the City Council, were moved under the City Manager's control. In 1994, as an early step in business center restructuring, the Planning Department was divided in two, with all permit-related activities going to the Development Services Department. The Planning Department continued to update community plans and do other traditional planning functions, as well as some major citywide projects such as the Naval Training Center reuse and zoning code update. Two years later, the Planning Department lost its separate identity altogether during a City government restructuring. To assemble functions critical to neighborhood development, the City Manager consolidated planning, economic development, redevelopment, community services and code enforcement into a new Community and Neighborhood Services Business Center along with library and park and recreation functions.

But in the mid-1990s, the economy began to surge and, with it, demand for housing. Recognizing the need to prepare for the coming wave of development, the City's planning functions were again reorganized. A new Planning and Development Review Department was created in 1998, combining the former Development Services Department with Community Planning and Development. The department has a director and two assistant directors, one for current development planning and review and a City Planner who oversees long-range community planning and the Multiple Species Conservation Program. The City Planner ~ the first true long-range planning leader for the City since the previous planning director resigned in 1996 ~ has a voice in the City Manager's policy-making machinery and sits in on high-level meetings. Under the new consolidated planning effort, the City is poised to deal equally with its present and the future.

Despite the shrinking of the City planning structure, this decade was not a replay of the early 20th century smokestacks-versus-geraniums debate with smokestacks alone winning out. The leaders of the 1990s argued for both economic growth and beauty. They continued to dream and plan. In the mayor's economic plan, for instance, she noted that even while the City was



pursuing its pro-business policies, it was working on plans for the “most far reaching and innovative habitat preservation program in the United States. We are showing that aggressive economic development and environmental protection are not incompatible objectives.”

Other concepts in the 1990s, such as the proposed downtown government building district and bayfront plan, were modern-day versions of enduring ideas expressed in the Nolen plan at the start of the century. Still other planners continued to build on the earlier success of downtown redevelopment, hoping to spread revitalization into the blighted sections of Centre City East.

While the recession knocked suburban developers for a loop, some residential developers continued to build or renovate, although projects were smaller in scale and fewer in number. The best of these projects — some completed with redevelopment subsidies or low-income housing assistance — were widely praised for setting a high standard for quality affordable housing in older neighborhoods. A notable example is the Mercado apartment complex in Barrio Logan, a handsome, well-maintained development that transcends the barrio's bleak warehouses, machine shops and junkyards.

Where Are We Now?

San Diego has grown from a small town to a City of 1.2 million people living in 42 communities sprawled across the City's 325 square miles. The City — the sixth largest in the nation — is the urban centerpiece of a county where the burgeoning population exceeds 2.8 million. More than 1 million people live across the border in Tijuana, Mexico.

After a severe five-year recession, the loss of thousands of defense-related jobs and the fiscal noose imposed by Proposition 13, San Diego has bounced back economically. In a matter of a few years, it went from a City heavily dependent on military and defense spending to one that is far more diversified. While defense is still an important part of the economy -- San Diego has been designated as a Navy megaport — high technology companies also are booming. Job openings for engineers totaled more than 2,500 in late 1997, according to one survey. Bioscience companies are proliferating, with about 250 them operating in the region. San Diego is no longer viewed as a cul-de-sac on the far edge of the nation; it has become a trading power on the frontline of the Pacific Rim.

As City officials prepare to update the General Plan, the strengthening economy may well reignite some of the past planning debates that traditionally emerged in boom cycles. Already the region's economic and corporate leaders have expressed concern over whether San Diego will be able to generate enough affordable housing to serve the workforce they need.

Meanwhile, the City's infrastructure demands repair and expansion to keep up with the expected growth.

Where Do We Grow From Here?

San Diego has its share of residents who wish the City would stay the way it is, as evidenced in the 1980s by the bumper stickers that read, “Welcome to San Diego Now Go Home.” During the depth of the recession in the early 1990s, when local jobs were scarce, people actually began



moving away from San Diego. But once the economy improved, the population began to grow again, and analysts predict that trend will continue.

The San Diego Association of Governments, the regional planning body, forecasts that countywide, the population will grow from 2.7 million in 1995 to 3.8 million in 2020, a 43 percent increase. The housing stock is expected to rise from 996,700 homes to 1.4 million, a 41 percent increase.

Where will those new homes go, especially as the last large undeveloped tracts fill up? What is the City of San Diego's fair share of the new homes? How much housing should be produced in the North County, where many of the high tech and biotech employees work? How will the City pay to extend public services? Fix and expand its existing infrastructure? How can the development be accomplished without destroying too much of San Diego's treasured open space? These old questions are likely to figure prominently in the current round of planning debates.

Have the past policies and strategies addressing these growth issues made a difference in shaping the City into its present form? The authors of the 15 plans described above suggest the City is evolving along the lines of a common vision, despite the mistakes, oversights and some unforeseen consequences.

The Progress Guide and General Plan, passed nearly two decades ago, clearly had an impact on development patterns, reflected in master planned communities like North City West (now Carmel Valley), the slower development on the City's outer edges, the dense apartment projects squeezed into older central neighborhoods and the success of redevelopment, particularly downtown.

Updated in 1992, with new Guidelines for Future Development only, the General Plan continues to emphasize the preservation of valleys, canyons and open space throughout the City, one of the most universal goals in plans going back to the early part of the century.

As Adele Santos noted, the job of protecting enough open space for the future is far from complete. Even so, she acknowledges progress. The Multiple Species Conservation Program is designed to ensure that large tracts will remain undeveloped. And over the years, open space has been acquired and protected through deals with developers as well as through public purchases. One notable example is the regional park in Penasquitos Canyon. Another is Mission Trails Regional Park in the East County. Both are large natural oases surrounded by residential neighborhoods.

Some of the City's other past visions and goals have not materialized yet, but they still reappear in plan after plan. In 1908, John Nolen talked of the importance of connecting San Diego to the rest of the country through the San Diego & Arizona Eastern rail line. In the 1980s, a storm washed out the tracks and shut down the freight service between San Diego and Plaster City. But rebuilding the line turned up as one of the goals in the Mayor's 1996 strategic economic plan.

While some of the plans took time to succeed or fell by the wayside, others became a reality in short order. Often those were the visions and goals with broad political support, an implementing plan and a financing mechanism.



Downtown redevelopment -- a legacy of Wilson's mayoral tenure -- was the most visible example. In the 15 years after the Centre City Development Corp. was established all three of the proposed main projects -- Horton Plaza shopping center, the downtown convention center and the Marina housing district -- were built. The historic Gaslamp Quarter was renovated and turned into a vibrant center for dining and entertainment. New single room occupancy hotels were built with such quality that they earned awards and national admiration. The number of residents living downtown grew from a few hundred in the 1970s to more than 20,000 in 1998. More than 4,250 downtown units have been built with the help of redevelopment subsidies. But not all goals have benefited from solid political backing, and, in the plans examined, some appear to be headed in different directions. For instance, developers like pro-business measures that cut regulations. But community activists may view these same regulations as important tools to maintain the quality of their neighborhoods. One specific example occurred after the General Plan of 1979 included support for development of balanced communities, with housing to accommodate all different socioeconomic levels to be scattered throughout the City. Attempts at implementing the concept drew heated arguments and opposition from those who said land in high-income neighborhoods was too expensive for affordable housing projects.

Are there new, better ways to achieve balanced housing? And what about issues that haven't been addressed in past reports? With the recent emphasis on improving neighborhoods and decentralizing services, what is the future vision for downtown? Does San Diego see itself becoming a collection of neighborhoods or a City where residents from all neighborhoods have a single place where they can gather? How far should the City go in dismantling development regulations in its quest to increase the affordable housing stock? How much say should neighborhood leaders have in the City's land use decision-making process?

Other questions undoubtedly will continue to swirl over which of the numerous proposed individual civic projects should be pursued as part of a larger comprehensive plan, whether it is a new City Hall, a better library system or a downtown ballpark.

According to Nolen, the most certain thing about planning is that it is a continuous process that must constantly adapt as a City grows.

“The emphasis needs to be placed less on the original plan and more on the replanning or remodeling,” he wrote. “The beautiful cities of Europe, the cities that are constantly taken as illustrations of what modern cities should be, are practically without exception the result of a picturesque, accidental growth, regulated, it is true, by considerable common sense and respect for art, but improved and again improved to fit changed conditions and new ideas.”

A Brief Look at San Diego's Plans

Much of the City's development, large and small, or only in the proposal stage has been influenced, at least in part, by the forward thinking of planners, civic leaders and City officials.

The following is a synopsis of past reports and plans that helped give the City direction and set the stage for the next round of general planning. Not all of the City's many past studies are



listed, of course, but it is a representative sampling that offers a broad portrait of where citizens and planners hope to lead San Diego.

They are divided into three categories: approved plans that serve as official policy guides, conceptual reports that offer visions but are not adopted and economic reports that focus on the business side of the growth debate.

Approved Plans

- ***Progress Guide and General Plan (Plan) (1979)***. The document refined the City guidelines for growth management first adopted by the City Council four years earlier. The Guidelines for Future Development portion of the Plan was amended as recently as 1992, and the Plan is still considered sound and viable in its principles. It is the operating vision for the City of San Diego. According to the Plan, it was designed to offer a comprehensive strategy to respond to public concerns over growth, housing density and development patterns and environmental protection.

Its basic goal is a single statement -- the “fostering of a physical environment in San Diego that will be most congenial to healthy human development.” In reality, the Plan included a complex framework of policies addressing issues ranging from new housing and redevelopment to land conservation and social concerns such as encouraging balanced communities offering housing for all income levels.

The Plan's growth management guidelines spelled out a system for phasing in residential construction. It encouraged “in-filling” or building on vacant lots in older neighborhoods and tried to direct the bulk of new development to suburbs like Mira Mesa, where development already was underway. Developers paid fees to cover the cost of installing public services and help provide classrooms, and they had to show that the City had enough water and sewer capacity for the new subdivisions. Master plans for the large new communities ~ for example, North City West (now Carmel Valley) -- were encouraged. However, the vacant outer fringes of the City, the future urbanizing area, were earmarked for development in future decades when needed. The three-tier system -- urbanized, planned urbanized and future urbanizing -- was designed to provide enough housing to meet the demands of a growing population, while reducing the public cost of extending public services to the suburbs.

Hardly limited to housing, the Plan encouraged development of employment centers near residential areas, mass transit alternatives for the new communities and preservation of open space that could not only protect natural features but also serve as a buffer between developments.

For urban areas, the Plan cites the need for public and private reinvestment, although the City was caught off guard by the extent of development in older neighborhoods, resulting in overcrowded schools and overburdened public services. Redevelopment was considered a valuable tool for blighted areas of downtown and some urban neighborhoods.



As the amount of developable land dwindles, as the City's economy and culture change and as the older urbanized communities face serious public facility and infrastructure deficiencies, the City Council sees a need to update the 1979 plan again. The goal is to add a strategic framework element, update the existing elements and develop an implementation program.

- ***Regional Growth Management Strategy (1993)*** In 1988, voters approved an advisory measure calling on local government to prepare a regional growth plan. Five years later, the San Diego Association of Governments (SANDAG), made up of the region's 18 cities and the county, delivered a regional strategy to deal with traffic jams, overcrowded schools and other impacts of the rapid development of the 1980s. The strategy concentrated primarily on nine environmental and economic factors: air quality, transportation systems, water, sewage treatment, sensitive land and open space protection, solid waste, hazardous waste, housing, and economic prosperity.

SANDAG's regional plan, adopted by the board and individual member jurisdictions, tried to integrate different elements into its recommendations. For instance, its suggested land use policies called for the highest density of housing to go up near community centers and public transit stations. Similarly, libraries, civic buildings, urban parks, hospitals, and churches would be near transit stops.

For the most part, SANDAG does not have the power to impose land use policies on its member jurisdictions and relies on them to comply voluntarily. Twice since 1993, SANDAG's members have certified that they are making progress on the quality-of-life factors in the strategy.

As residential growth slowed and agencies grew more alarmed about the flagging economy, SANDAG concentrated on its regional economic prosperity strategy, the strategy, approved in 1995, urged education, business and labor to cooperate in the effort to revive the economy. It also advocated investing in small start-up companies and training workers so they could meet the demands of the workplace. A SANDAG committee, chaired by San Diego City Councilwoman Christine Kehoe, will update the regional economic prosperity strategy in 1998.

Consolidated Plan (1997) The San Diego Housing Commission, the City's Community and Economic Development Department, the County Office of AIDS Coordination and the Regional Task Force on the Homeless collaborate to produce a comprehensive community development plan. Required annually by the federal Housing and Urban Development Department (HUD), the current plan's goals include providing decent housing, expanding economic opportunities and making neighborhoods safer and more livable.

Originally approved by the federal government in September 1997, the document's emphasis is on coordinating and integrating the City's affordable housing programs with the neighborhood revitalization and partnership concepts embodied in the Livable Neighborhoods Initiative and the Renaissance Commission.



One of the Plan's main priorities is to increase the amount of affordable housing for low-income households and preserve the existing housing stock. The Plan includes programs for the homeless and extension of human services to those who need them.

Conceptual Reports

- ***The Nolen Plan (1908)*** The granddaddy of San Diego's urban studies, John Nolen's Comprehensive Plan for San Diego, signaled a wakeup call for a City in search of a vision. Nolen chided the City for having a plan that “is not thoughtful, but, on the contrary, ignorant and wasteful.” He winced at the narrow, monotonous City streets, some of which had destroyed scenic canyons and valleys, and criticized the small size of downtown blocks, shortened to create more corner lots to sell to businesses. He attributed the mistakes of the past to “a low standard of City making, a disregard of the future, and a lack of civic pride.”

In Nolen's view, the City needed a plan that would provide the impetus for “a great system of parks well connected by boulevards,” a plaza to serve as a centerpiece for well-designed public buildings and a “broad esplanade” on the waterfront. He offered ten specific recommendations, including preservation of beaches and other open space for the public, increasing the number of small squares “to open, ventilate, and beauty the City,” and creation of a “Paseo” connecting the bay and Balboa Park. He envisioned a civic center around a plaza formed on the bounded by Broadway (then still called D Street), C and Front streets and First Avenue. At the time, civic leaders did not accept this proposal, but Nolen's second plan proposed a bayfront civic center, which eventually led to the construction of the County Administration Center. As for neighborhoods, Nolen recommended wider, more varied street configurations, but mostly he concentrated on public spaces, structures and infrastructure.

Nolen's first study was not commissioned by the City. He was hired by the Civic Improvement Committee, a group of downtown business leaders, led by department store founder George W. Marston. The City hired Nolen in the 1920s for another study that would lead to a master plan.

- ***Temporary Paradise? (1974)*** Widely heralded as the forward-thinking document of its time, this unofficial report by consultants Kevin Lynch and Donald Appleyard is still valued by environmentalists and community leaders.

It bears some striking parallels to the first Nolen plan. For instance, both studies came about with help from the Marston family, which provided a \$12,000 grant for *Temporary Paradise?* Both advocated City plans that preserve the beaches, valleys, canyons, bays and other natural resources for all San Diegans. And like Nolen, Lynch and Appleyard were not reluctant to point out past planning failures. They harshly criticized the urbanization of Mission Valley in the 1950s, saying it had become “a chaos of highways, parking lots, and scattered commercial buildings. The City should erect an historic monument to that tragic event. It struck a double blow: one directed both at the landscape and at the economy of the center City.”



But unlike the Nolen plan, which had little to say about housing issues, *Temporary Paradise?* focused heavily on the problems associated with rapid residential development such as pollution, traffic jams and overextended public services. As noted previously, the report suggested ways that municipal government could slow growth, particularly for the inland suburbs.

Growth would be funneled into existing neighborhoods, a key concept incorporated later into the City's growth management plan. At the same time, the City would help restore and improve the character of the City's various communities.

The report's transportation goals foreshadowed the plans and actions of the City and the region, from improving bus service pedestrian walkways, and bike paths to building a fixed rail system. *Temporary Paradise?* advocated a fixed rail line from Tijuana to Mission Bay. Seven years later, when the Metropolitan Transit Development Board opened the first leg of the San Diego Trolley, the line operated between the U.S.-Mexico border and downtown San Diego.

Temporary Paradise? also was among the first reports to view Tijuana as part of the San Diego region. The report urged stronger ties with Mexican neighbors and the creation of binational institutions such as training centers or a university. The report also favored relocating Lindbergh Field to a new international airport on Otay Mesa to help stimulate the border economy while freeing Lindbergh land for urban development. The City Council actually pursued the possibility of an Otay Mesa airport, but the proposal died after South Bay and Tijuana leaders opposed it.

One of the plan's more visionary ideas was to finish developing Mission Bay and create a waterway to connect it to San Diego Bay. The bay-to-bay link is still a popular concept and is carried as a vision in the North Bay Revitalization Plan.

The centerpiece of *Temporary Paradise?* is its comprehensive environmental plan to be developed by a special environmental planning and design section in the City's Planning Department. Among other activities, the section would make recommendations on urgent issues, ranging from surveying urban and rural areas to determining their future growth capacity and reclaiming San Diego Bay for public use. Policies would be put in place to conserve water and other natural resources.

- ***Alternative Futures for San Diego (1987)*** As slow-growth campaigns sought caps on development (initiatives ultimately rejected by voters), the City Council authorized an updating of the City's growth management program and General Plan review. A City Council appointed Citizens Advisory Committee on Growth and Development worked with Planning Department staff to generate the Alternative Futures report. Defining vision as “an expression of our highest aspirations,” the report repeats many of the goals in *Temporary Paradise?* and the 1979 General Plan.

Advisory committee members wanted balanced communities with housing opportunities for all socioeconomic levels and properly funded public services. Older neighborhoods would be revitalized, while retaining their special character and history. Services and recreational amenities would be distributed equitably to various parts of the City.



Canyons, river valleys and lagoons would be preserved, the air and water would be clean, and environmentally sensitive habitats would be protected. San Diego would have programs to reduce dependency on gas, oil and imported water, and the City budget would have enough funding to provide public services and facilities throughout the City. The sewer system would be dependable, environmentally friendly and equipped for recycling.

The county's future transportation system would have a regional airport that could meet air traffic demand, freight rail line services, public support for mass transit and countywide commuter rail service. Regional and local transit systems would be integrated.

As for the economy, the committee envisioned enough new jobs and housing to accommodate the population, with opportunities for a range of skill levels. Basic industries among them, manufacturing, tourism, aerospace, fishing and ship building -- would flourish and increase their payrolls. The City would have first-rate educational and cultural institutions.

The report discussed the pros and cons of several conceptual alternatives for managing growth without endorsing any particular alternative. Although the General Plan review was never completed, the Alternative Futures report was formally accepted by the City Council in March 1987. The growth management project did lead to several new regulatory measures, including the Single Family Protection Program, the adoption of facility financing fees for the urbanized communities, the Interim Development Ordinance (IDO), the Resource Protection Ordinance and a program to bring zoning into conformance with adopted community plans.

- ***Action Plan-Urban Form Workshop (November 1991)*** Facilitated by Partners for Livable Places, the workshop gathered more than 400 people from the community to help chart a course for the City's future. The resulting report, prepared by the City of San Diego and other community organizations, noted that despite their differences, various interest groups shared most of the same common goals expressed during the previous 50 years. Among the key features of this officially adopted vision were open space conservation and access, neighborhood preservation, a comprehensive transportation system, regional planning, adequate social services and public facilities and economic development.

The workshop's report urged the City to update its Progress Guide and General Plan but not replace it entirely. The changes would merely “build on the solid policy foundation of the existing plan” by adding recommendations from the report. For instance, the report favored a utility tax of two percent on industrial and commercial property and one percent on residential property to help pay for infrastructure repairs in older neighborhoods. It also proposed a “compact” with a selected community. The “laboratory” neighborhood would be offered new parks, schools, libraries or other improvements in exchange for allowing a higher density of homes.

With the economy heading into the doldrums in the early 1990s, the report recommended a “coherent marketing and business plan” and the examination of the current impediments to permit processing, and irrational regulations for development.” The report said that “the City needs to make the review process accessible and user-friendly to encourage new



development opportunities,” striking a tone in sharp contrast to some of the growth-limiting strategies recommended in the earlier *Temporary Paradise?* Nevertheless, on environmental issues, the Urban Form report praised *Temporary Paradise?* for warning San Diegans that they should take strong action to create a greenbelt of sensitive lands. To achieve the goal, the workshop recommended creation of a regional nonprofit land trust to buy open space with funds from an open space bond issue.

The Urban Form action report was formally accepted by the City Council in November 1991.

- ***Vision and Implementing Principles for the City of San Diego (1992)*** Drafted by the Partnership for San Diego, the document offered a straightforward vision statement and implementing principles in a dozen different areas, including education, economic opportunities, safe and attractive neighborhoods, environmental resources, mass transit, and affordable housing.

The report included a three-paragraph basic vision statement that said, in part, “We seek to establish a dynamic, progressive, binational, Pacific Rim community that celebrates its ethnic and cultural diversity while promoting a diverse economic base and a high quality of life for all.”

The Partnership, a group made up of many of those who participated on the Urban Form and Economic Development Task Force studies, hoped that the City would use the report as a policy guide. Eventually, the group wanted its vision as the official guiding statement for the Progress Guide and General Plan.

The partnership proposed that a citizens committee issue an annual report card on how well Planning Commission and City Council actions and policies measured up to the Partnership visions. The committee also would have reviewed the principles periodically and make any needed changes. The City Council, however, never approved the vision program, despite support from then Councilman John Hartley, who had helped organize the Partnership study.

- ***Livable Neighborhoods Initiative (1994)*** As the City's older communities fought blight and a deteriorating infrastructure, Mayor Golding called on the City to focus on neighborhoods. The result was the Livable Neighborhoods Initiative, which targeted a dozen neighborhoods -- all but Mira Mesa located in the older sections of the City -- for special municipal attention.

The City created interdepartmental teams to work with the communities to come up with revitalization programs tailored to their needs. The teams established close communications with community leaders, responding to problems and helping them obtain neighborhood improvements. (During fiscal 1996, each team had \$17,000 in community block-grant funding.) In Centre City East, for instance, the program resulted in planting 600 trees. The effort is now evolving from a pilot project to an institutionalized program, using Livable Neighborhood principles in the City's day-to-day business.



A related neighborhood effort involves creating community and neighborhood service centers. These centers are part of a broad commitment to provide more customized staff and services that meet the needs of different communities.

- ***Renaissance Commission Report (1996)*** In her first inaugural speech, Mayor Golding described San Diego as “a City of neighborhoods” and said San Diego should take the lead to “restore and preserve its human scale.” Among other initiatives, she formed the Renaissance Commission, a group of community and business leaders asked to study ways to protect newer communities and revitalize the older ones. She asked the group to pinpoint problems that crossed community boundaries and identify methods of improving the delivery of City services to the communities.

The commission responded with five major recommendations. It said the City should restore public trust in the neighborhoods by decentralizing services and giving people better access to them. The commission wanted neighborhoods to have a stronger voice at City Hall on matters affecting them. For older crime-ridden neighborhoods, the City should create a neighborhood revitalization superfund. Businesses should join the partnership of City and neighborhood, said the commission. And for young people and seniors, the community's gyms, churches and community centers ought to be opened for after-school activities and other community programs.

Although the City Council accepted the commission's report and passed its recommendations to the council's committees, only one -- the decentralized community service centers -- has materialized so far. The superfund received a small amount of funding for one year.

- ***Towards Permanent Paradise (1995)*** Citizens Coordinate for Century 3 has begun a campaign to revive the main visions and ideas contained in the 1974 report, *Temporary Paradise?* Since the year it appeared, notes the civic group, the region's population has surged from 1.5 million to more than 2.5 million, and many have sealed in sprawling coastal and inland suburbs rather than the compact communities recommended by *Temporary Paradise?* authors Lynch and Appleyard.

The C-3 project aims to develop an implementation plan for the principles. “This strategy will include principles and public policy recommendations that strike an effective balance between the built and the natural environment,” states C-3 in its literature. C-3 has set up a subcommittee to complete the implementation plan by spring 1998 for use by the organization in developing policy positions on issues.

- ***San Diego Grand Design (1997)*** Prepared by Adele Naude Santos and Associates and Andrew Spurlock Martin Poirier Landscape Architects, the Citylinks document explores a vision of San Diego in which an open space system connects San Diego's communities. Intended as an educational tool rather than an action plan, the report offers a framework to help guide the community planning process.

Noting that the linked open space concept has existed since the days of John Nolen, the authors say, “The existing parks, accessible open spaces and dedicated bike routes form the beginning of such a system but are neither complete, nor evenly distributed through the



City.” The report proposes a system that uses natural features as landmarks for navigating around the functional part of the City. Valleys, for instance, would form a web connecting communities. Projects like the proposed bay-to-bay link are favored as a means of connecting urban areas.

“We propose to strengthen the existing pattern of San Diego as a City of neighborhoods, in which neighborhoods are well defined, each with a distinctive character and sharing amenities in common,” stated the report.

Economic Reports

- ***City of San Diego Economic Development Task Force Report (December 1991)*** Like the Urban Form report issued the previous month, the task force also reflected San Diego's economic slump. It offered a grim prognosis for the future unless the City acted quickly and formed a public-private partnership to help with the recovery. With construction virtually at a standstill, San Diego would have to create a more inviting business environment, the report stated, and that meant cutting regulations and speeding up the processing of permits. The task force did not call for the wholesale elimination of environmental rules many developers felt were too onerous, but its report did recommend that the City “develop a reasonable, balanced approach to clarify and simplify current environmental regulations and related requirements.”

Two task force recommendations echoed common themes: Revitalizing urban communities and supporting improved communications between San Diego and Mexico.

To help San Diego improve its economy, the task force urged that the City designate a site for an international airport and speed up its construction. It called on the City to leverage public investment in order to build key infrastructure projects and establish the City as a leader in the promoting and a well-educated, skilled workforce for local industry. And it called for citywide incentives and programs to increase the supply of affordable housing.

This report was formally accepted by the City Council in January 1992.

- ***CHANGE 2 Report (1994)*** At the behest of Mayor Golding, a task force of business leaders examined City work practices to recommend ways to make them more efficient and competitive. The group, Citizens to Help Advocate Needed Government Efficiency & Effectiveness (CHANGE 2), came up with recommendations in June 1994. During the same period, the City Manager embarked on a similar effort called the Streamlining and Efficiency Program (STEP), which sifted through about 3,000 suggestions. Recommendations from both the task force and the City Manager's program were sent to City Council committees. Some have been put into effect.

One suggestion put into effect allowed the City to speed up its capital improvement program through better cash management. Another recommendation led to a program improving City competitiveness on projects. Still another urged City departments to buy supplies where they could get the lowest prices.



- *Charting a Course for the 21st Century (1996)* Citing post-Cold War defense cutbacks and the recession, Mayor Golding led an effort to plan for future economic prosperity with a comprehensive plan to “mobilize the City of San Diego's powers, authorities, and resources into the catalyst for change that is needed.” The resulting strategy, approved by the City Council, focused on supporting six industry clusters: telecommunications; biomedical, biotechnology and life sciences companies; electronics manufacturing; defense and space manufacturing; software; and financial and business services.

The plan laid out ambitious goals for economic growth, including creation of 5,000 new direct jobs a year in the six targeted industry clusters. In the restructured economy, the goal was to make sure San Diego residents “post steady and sustainable annual improvements.” The City Manager was instructed to work with the San Diego Regional Economic Development Corp. to retain, expand or recruit new companies in these fields. Progress in implementing the plan was to be monitored closely, and a council of economic advisors was to convene once a year to review what had been done and take any corrective actions.

The strategy incorporated a broad range of actions that public agencies could take to complete infrastructure projects that could help the targeted industries. For instance, San Diego & Arizona Eastern Rail line leading east would be repaired and reopened, the port would upgrade its maritime facilities along San Diego Bay, and efforts would continue to secure the region's water supplies.

Other goals involve forming private-public partnerships to take the lead in developing San Diego's “new economy,” expanding the City's legislative program to lobby more vigorously at the state and federal level for San Diego's important industries. Schools would be encouraged to offer apprentice and other training program to prepare a skilled workforce.

The City Council adopted the 21st-century report in September 1997, directing the manager to come back with an implementation plan in 90 days. The council adopted the implementation plan in January 1998.



COMMUNITY PLANNING GROUPS

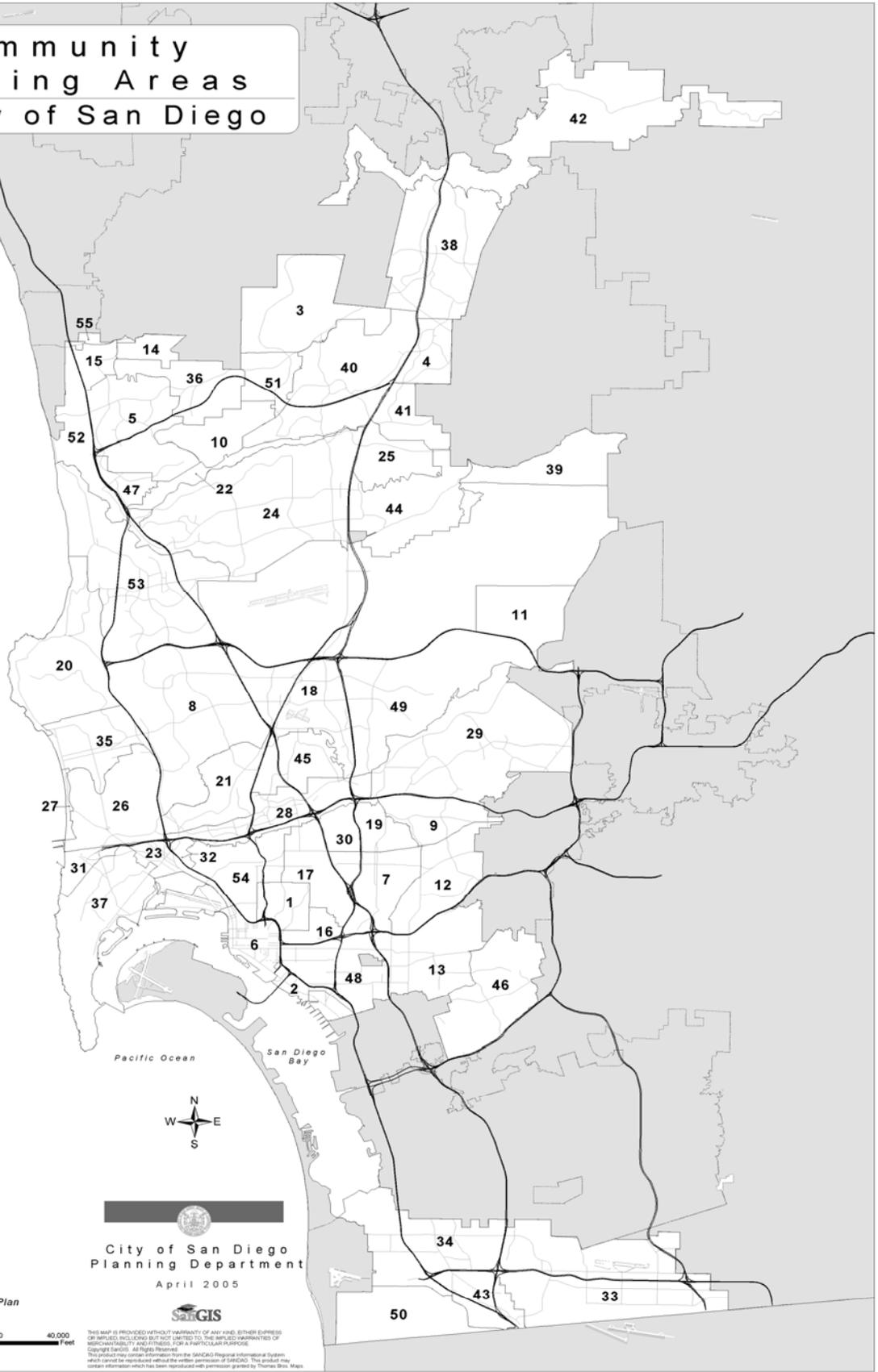
Community Planning Areas in the City of San Diego

Legend

Community Planning Areas

- 1 Balboa Park
- 2 Barrio Logan
- 3 Black Mountain Ranch
- 4 Carmel Mountain Ranch
- 5 Carmel Valley
- 6 Centre City
- 7 City Heights*
- 8 Clairemont Mesa
- 9 College Area
- 10 Del Mar Mesa
- 11 East Elliott
- 12 Eastern Area*
- 13 Encanto Neighborhoods**
- 14 Fairbanks Country Club
- 15 Future Urbanizing Area Subarea 2
- 16 Greater Golden Hill
- 17 Greater North Park
- 18 Kearny Mesa
- 19 Kensington-Talmadge*
- 20 La Jolla
- 21 Linda Vista
- 22 Los Penasquitos Canyon Preserve
- 23 Midway-Pacific Highway
- 24 Mira Mesa
- 25 Miramar Ranch North
- 26 Mission Bay Park
- 27 Mission Beach
- 28 Mission Valley
- 29 Navajo
- 30 Normal Heights*
- 31 Ocean Beach
- 32 Old San Diego
- 33 Otay Mesa
- 34 Otay Mesa-Nestor
- 35 Pacific Beach
- 36 Pacific Highlands Ranch
- 37 Peninsula
- 38 Rancho Bernardo
- 39 Rancho Encantada
- 40 Rancho Penasquitos
- 41 Sabre Springs
- 42 San Pasqual
- 43 San Ysidro
- 44 Scripps Miramar Ranch
- 45 Serra Mesa
- 46 Skyline-Paradise Hills
- 47 Torrey Hills
- 48 Southeastern San Diego**
- 49 Tierrasanta
- 50 Tijuana River Valley
- 51 Torrey Highlands
- 52 Torrey Pines
- 53 University
- 54 Uptown
- 55 Via De La Valle

* Mid-City Community Plan
 ** Southeastern San Diego Community Plan



City of San Diego
 Planning Department
 April 2005



THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE PRODUCT MAY CONTAIN INFORMATION FROM THE SPACEDATA Regional Information System (SPACEDATA). All Rights Reserved. This product may contain information from the SPACEDATA Regional Information System which cannot be reproduced without the written permission of SPACEDATA. This product may contain information which has been reproduced with permission granted by Thomas Data, Maps.

tgalloway\4-05\CommunityPlanningAreas.mxd



COUNCIL POLICY

SUBJECT: STANDARD OPERATING PROCEDURES AND RESPONSIBILITIES
OF RECOGNIZED COMMUNITY PLANNING GROUPS
POLICY NO.: 600-24
EFFECTIVE DATE: 05/22/2007

BACKGROUND:

Community planning groups have been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically, concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to each recognized community planning group's planning area boundaries. Planning groups also advise on other land use matters as requested by the City or other governmental agencies. Council Policy 600-24 applies to the 12 to 20 elected or duly appointed members of a recognized community planning group, herein referred to as members.

The City does not direct or recommend the election of specified individual planning group members, nor does the City appoint members to planning groups, or recommend removal of individual members of a planning group. The City does not delegate legal authority to planning groups to take actions on behalf of the City. Planning groups are voluntarily created and maintained by members of communities within the City. This Policy was created to provide the guidance for organizations operating as officially recognized community planning groups.

In 2006, it was determined that since planning groups are advisory bodies created by an action of the City Council, they are subject to California's Open Meeting Law, the Ralph M. Brown Act ("Brown Act") (California Government Code Sections 54950 through 54963). The 2007 amendments to this Policy incorporate clear direction to planning groups about compliance with the Brown Act.

Bylaws of recognized community planning groups shall be amended to conform to the 2007 amendments to this Policy within 6 months from the enactment of the 2007 amendment. Until the expiration of 6 months, or adoption of bylaws amendments, whichever comes first, a planning group operating in conformance with bylaws that were previously approved by the City, shall be deemed to be operating in conformance with this Policy.

PURPOSE:

The purpose of Council Policy 600-24 is to identify responsibilities and to establish minimum operating procedures governing the conduct of planning groups when they operate in their officially recognized capacity.

POLICY:

It is the policy of the City Council to require each recognized community planning group, as a condition of official recognition by the City of San Diego, to submit a copy of its own operating procedures and responsibilities, otherwise known as "bylaws," to the City. These bylaws must contain, at a minimum, all the provisions addressed in Council Policy 600-24 and conform to the criteria contained herein, including the standardized bylaws shell attached to this Policy. Individual planning groups' bylaws may utilize options within the standardized bylaws shell and may also expand on provisions in this Policy to better meet the needs of diverse communities. However, all bylaws must remain in conformance with the provisions of this Policy to maintain official recognition by the City. The original bylaws for each planning group and the initial members and terms of each planning group seat and member will be submitted for approval by resolution of the City Council.

Planning groups that are also incorporated under the laws of the State of California shall maintain corporate bylaws separate from the planning group bylaws.

Subsequent amendments to adopted bylaws may be proposed to the City by a majority vote of the elected membership of a community planning group. Amendments shall be approved by the Mayor's Office and City Attorney if determined to conform with this Policy. Bylaws amendments that cannot be approved by the Mayor's Office and City Attorney may be taken to the City Council for consideration. A planning group's proposed revisions to their adopted bylaws, to bring them into conformity with the 2007 revisions to this Policy, to the extent such bylaws are inconsistent with this Policy, do not go into effect, and may not be used by the planning group, until the City has approved the bylaws and has notified the planning group of the effective date of the amendment. Failure of a planning group to comply with the approved operating procedures and responsibilities will be cause for the City Council to withdraw official recognition.

Planning groups must utilize this Policy and their adopted bylaws to guide their operations. City staff is assigned to prepare and maintain Administrative Guidelines in consultation with the Community Planners Committee. The Administrative Guidelines are intended to explain this Policy's minimum standard operating procedures and responsibilities of planning groups. The Administrative Guidelines provide the planning groups with explanations and recommendations for individually adopted bylaws and planning group procedures. Robert's Rules of Order Newly Revised should be used when this Policy, the Administrative Guidelines, and planning group bylaws do not address an area of concern or interest.

It is also the policy of the City Council that the City shall indemnify, and the City Attorney shall defend, a recognized community planning group or its individual members in accordance with Ordinance No. O-17086 NS entitled "An Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages," and any future amendments thereto, as discussed further in Article IX, Section 1.

The intent of the Brown Act, as stated in section 45950, is that the actions of public bodies, "...be taken openly and that their deliberations be conducted openly..." This is consistent with the goals of the City and planning groups operating pursuant to this Policy. Accordingly, planning groups shall ensure that all meetings are open to the public, properly noticed, and conducted in compliance with each of the Brown Act provisions as identified in this Policy.

ARTICLE I Name

Section 1. A recognized community planning group shall adopt an official name which shall be subject to the approval of the City Council.

Section 2. All activities of a recognized community planning group shall be conducted in its official name.

Section 3. A boundary for a recognized community planning group's area of authority is based on the boundary of the applicable adopted community plan. The boundary is intended to give a planning group the advisory responsibilities over an area that has been established based on logical, man-made or geographic boundaries. In some cases, the City Council may determine that a boundary other than that of an adopted plan is the appropriate boundary for a planning group's oversight, and may identify an area either smaller than, or more encompassing than, an adopted community plan.

The community planning area boundaries which are applicable to each recognized community planning group shall be shown on a map to be included in the bylaws as Exhibit "A."

In accordance with Brown Act section 54954(b), meetings of recognized community planning groups shall be held within these boundaries. When, however, a community planning group does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.

Section 4. The official positions and opinions of a recognized community planning group shall not be established or determined by any organization other than the planning group, nor by any individual member of the planning group other than one authorized to do so by the planning group.

ARTICLE II Purpose of Community Planning Group and General Provisions

- Section 1. Recognized community planning groups have been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically, concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to each planning group's planning area boundaries. Planning groups also advise on other land use matters as requested by the City or other governmental agency.
- Section 2. A recognized community planning group reviewing individual development projects should focus such review on conformity with the adopted Community Plan and/or the General Plan. Preliminary comments on projects may be submitted to the City during the project review process. Whenever possible, a formal planning group recommendation should be submitted no later than the end of the public review period offered by the environmental review process. Substantive changes in projects subsequent to completion of the environmental review process will sanction further evaluation by the planning group. This will provide staff and the project applicant the opportunity to respond to the comments or concerns and potentially resolve possible conflicts before the project is noticed for discretionary action.
- Section 3. Insofar as the efforts of a recognized community planning group are engaged in the diligent pursuit of the above purpose, City staff assistance, if any, shall be provided under the direction of the Mayor's Office.
- Section 4. All activities of recognized community planning groups shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, age, creed or national origin, or sexual orientation, or physical or mental disability. In addition, Brown Act section 54953.2 requires that meeting facilities must be accessible to persons with disabilities.
- Section 5. A recognized community planning group shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Planning group members shall not identify affiliation with a planning group when endorsing candidates for public office. A planning group may take a position on a ballot measure.
- Section 6. Pursuant to the provisions of City Council Policy 600-5, a recognized community planning group's consistent failure to respond to the City's request for planning group input on the preparation of, adoption of, implementation of, or amendment to, the General Plan or a community, precise, or specific plan, or failure to review and reply to the City in a timely manner on development projects shall result in the forfeiture of rights to represent its community for these purposes.

Such a determination resulting in the forfeiture of rights to represent its community for these purposes shall be made only by the City Council upon the recommendation of the Mayor's Office.

- Section 7. A recognized community planning group may propose amendments to its bylaws by majority vote of the elected members of the group. Proposed amendments shall be submitted to the offices of the Mayor and City Attorney, respectively, for review and approval. The City shall review proposed bylaws amendments in a reasonable timeframe made known to the planning group. Any proposed amendments that are inconsistent with Council Policy 600-24 and the standardized bylaws shell, attached to this Policy, shall not be approved by the Mayor and City Attorney. Bylaws which deviate from this Policy and the shell shall be forwarded to the City Council President who shall docket the matter for Council consideration.

ARTICLE III Community Planning Group Organizations

- Section 1. A recognized community planning group shall consist of a specific number of members that is not fewer than 12 nor more than 20, provided, however, that when a larger membership shall give better representation to a community, the City Council may approve such larger membership. Upon recognition by the City Council, the members of the planning groups shall constitute the official planning group for the purposes set forth in Article II.
- Section 2. The members of a recognized community planning group shall consist of the members as of the date of recognition by the City Council, and of such additional members as shall thereafter be elected by eligible individuals of the community or duly appointed in the manner prescribed by Council Policy 600-24.
- Section 3. Members of recognized community planning groups shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

Elected planning group members shall be elected by and from eligible individuals of the community. To be eligible, an individual must be at least 18 years of age, and shall be affiliated with the community as a:

- (a) Property owner, who is an individual identified as the sole or partial owner of record, or their designee, of a real property (either developed or undeveloped), within the community planning area, or
- (b) Resident, who is an individual whose primary address of residence is an address in the community planning area, or

- (c) Local business person, who is a local business or not-for-profit owner, operator, or designee at a non-residential real property address in the community planning area.

On occasion, a planning group may deem it appropriate to designate appointed seats to better represent specific interests of the community. If used, a planning group's bylaws shall specify whether appointed seats make up one or more of the 12 to 20 voting planning group seats or are non-voting seats. Appointed seats are filled by the appointing agency or organization.

Demonstration of individual eligibility to vote as a property owner, resident, or local business or not-for-profit person, as described in (a) through (c) above may be further defined in planning group bylaws, for example, through an application showing evidence of qualifications or by minimum attendance requirements. Once eligibility to vote in an election is established, an individual remains eligible until he or she does not meet the eligibility requirements. Individuals will be required to provide proof of eligibility in order to vote.

- Section 4. Members of a recognized community planning group shall be elected to serve for fixed terms of two to four years with expiration dates during alternate years to provide continuity. This can vary for the purpose of the selection of initial group members for new groups. No person may serve on a planning group for more than eight consecutive years if members are elected to two- or four-year terms, or nine consecutive years if members are elected to three-year terms. The eight or nine year limit refers to total service time, not to individual seats held.

After a one-year break in service as a planning group member, an individual who had served for eight or nine consecutive years shall again be eligible for election to the committee.

Council Policy 600-24 provides an exception for a planning group to retain some members who have already served for eight or nine consecutive years to continue on the planning group without a break in service if not enough new members are found to fill all vacant seats as follows:

A planning group member who has served eight or nine consecutive years may appear on the ballot with new candidates. After open seats are filled with qualified new members, and if open seats still remain, the following provisions may be utilized: A member may serve in excess of eight or nine consecutive years (as specified above) if that person is reelected to a remaining open seat by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election. The number of individuals on a planning group serving more than eight or nine consecutive years shall in no case exceed twenty-five percent of the voting committee membership.

The term of a member elected by a two-thirds vote serving beyond eight or nine years shall count as time served beyond the required break in service as required by this section. Future consecutive election of the member who has served beyond eight or nine years is subject to the requirements of this section.

Section 5. A member of a recognized community planning group must retain eligibility during the entire term of service. A planning group member may be removed from the planning group, upon a majority vote of the planning group, if, during a regularly scheduled public meeting, the Secretary presents documentation to the planning group and has notified the member in question that the member is no longer eligible to serve. Ineligibility may be due to not meeting the membership qualifications found in Article III, Section 3 or Article IV, Section 1 of this Council Policy and in the group's adopted bylaws.

Section 6. A recognized community planning group member or planning group found to be out of compliance with the provisions of Council Policy 600-24 or the planning group's adopted bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any future amendments thereto.

Violations of the Brown Act may, in some circumstances, carry civil or criminal consequences as described in this Policy in Article IX, Section 2. However, as stated in a memorandum prepared by the City Attorney, by implementing bylaws and operating in compliance with this Policy, planning groups will be considered to be in substantial compliance with the Brown Act (City Att'y MOL No. 2006-26).

ARTICLE IV Vacancies

Section 1. A recognized community planning group shall find that a vacancy exists upon receipt of a resignation in writing from one of its members or upon receipt of a written report from its secretary reporting the third consecutive absence or fourth absence in the 12-month period of April through March each year, of a member(s) from regular monthly meeting as established under Article VI, Section 2 below.

Section 2. Vacancies of elected seats that occur on a recognized community planning group shall be filled by the planning group in a manner specified by the bylaws of the planning group. Vacancies shall be filled as they occur no later than 120 days following the date of the determination of the vacancy unless the end of the 120 day period would occur within 90 days of the annual March general election as described in Article V.

Vacancies of appointed seats shall be filled by the appointing agency in the manner specified in a planning group's bylaws.

The term of office of any member filling a vacancy in accordance with the procedure established in Article III, Section 4 above shall be for the balance of the vacated term.

- Section 3. When a recognized community planning group is unable to fill a vacancy within the 120 days, as specified above, and the planning group has more than twelve members, the planning group shall either leave the seat vacant until the next planning group election, or amend its bylaws to permit decreased membership to a minimum of twelve members. If a vacancy remains for more than 60 days from the time a vacancy is declared, and the planning group has less than 12 members in good standing, the planning group shall report in writing the efforts made to fill the vacancy to the City. If, after 60 additional days, the planning group membership has not reached 12 members, the planning group will be deemed inactive and the City shall notify the City Council that the planning group will be inactive until it has attained at least 12 members in good standing. The City shall assist with the planning group election in the attempt to regain the minimum Policy membership requirement of 12 members.

ARTICLE V Elections

- Section 1. General elections of recognized community planning group members shall be held during the month of March in accordance with procedures specified in adopted planning group bylaws. Planning groups shall hold elections every year or every other year.

In the election process, a planning group shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for eight or nine consecutive years to leave the group for at least one year.

In order to be a candidate in the March general election, an eligible individual of the community must have documented attendance at a minimum of one of the planning group's last 12 meetings prior to the February noticed regular or special meeting of the full planning group membership preceding the election.

Planning groups may establish voting procedures that include opportunities for multiple voting times on the date of the election, or for multiple locations, or both, provided those procedures allow for the completion of the election during the month of March and they demonstrate an ability to assure fair access and avoidance of voting improprieties.

Where an opportunity to vote on more than one date is proposed, the voting procedures for such an election shall be submitted at least forty-five (45) days in advance of the first day that voting is proposed to occur to the offices of the Mayor and City Attorney, respectively, for review and approval. All voting procedures must insure that voting is done only by eligible members of the community.

Section 2. The City shall publicize the elections of recognized community planning groups through the City website, City TV24 programming, electronic mail, the City's webpage, and other available effective means.

A planning group shall make a good faith effort to utilize means appropriate to their communities to publicize the planning group's eligibility requirements for candidacy and the upcoming elections.

Section 3. Voting shall be by secret written ballot. Recognized community planning groups may establish bylaw provisions to address procedures for mailing in ballots for elections if the planning group determines that this procedure, or another specified procedure, would increase community participation in the election process. Under no circumstances is proxy voting for elections allowed. At a minimum, ballots shall be available for a specified period at the noticed planning group meeting at which the election will be held.

Section 4. Unless otherwise explicitly provided for in a recognized community planning group's bylaws, an election becomes final after announcing the election results at a noticed planning group meeting. New members shall be seated in April.

ARTICLE VI Community Planning Group and Planning Group Member Duties

Section 1. It shall be the duty of a recognized community planning group to cooperatively work with the Mayor's staff throughout the planning process, including but not limited to the formation of long-range community goals, objectives and proposals or the revision thereto for inclusion in a General or Community Plan.

In accordance with Brown Act section 54953(a), it shall be the duty of all planning group members to meet in open and in public, and all persons shall be permitted to attend any meeting of the planning group except as otherwise noted in this Policy.

Planning group members shall conduct official business of the planning group in a public setting. It is recognized that the officers of a planning group may oversee administrative business of a planning group, such as the assembling of the draft agenda in preparation for public discussions. However, all substantive discussions about agenda items or possible group positions on agenda items shall occur at the noticed planning group meetings.

It shall be the duty of a planning group as a whole, and of each individual planning group member, to refrain from conduct that is detrimental to the planning group or its purposes under Council Policy 600-24. No member shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group's agenda.

Section 2. Recognized community planning groups and planning group members are responsible for assuring compliance of meeting procedures and meeting records requirements under this Policy.

(a) Meeting Procedures

It shall be the duty of each recognized community planning group member to attend all planning group meetings.

i. Regular Meeting Agenda Posting.

In accordance with Brown Act section 54954.2(a), at least 72 hours before a regular meeting, the agenda containing a brief general description of each agenda item shall be posted. The brief general description of each agenda item need not exceed 20 words per item unless the item is complex. The agenda shall also provide notice of the date, time, and location of the meeting. The agenda shall be posted in a place freely accessible to the general public and shall include information on how a request for accessible accommodation may be made.

The listing of an agenda item shall include the intended action of the planning group regarding that item, for example, stating that the item is an information item only or an action item.

ii. Public Comment.

1. Agenda Items: Any interested member of the public may comment on agenda items during regular or special planning group meetings (Brown Act section 54954.3(a))
2. Non-Agenda Items: Each agenda for a regular planning group meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda, but that are within the scope of the planning group. (Brown Act section 54954.3(a)) Planning group members may respond by asking for more factual information, or by asking a question to clarify, and also may schedule the item for a future agenda. However, no discussion, debate, or action may be taken on such item. (Brown Act section 54954.2)

3. A planning group may adopt time limits for individual items and for individual speakers to ensure operational efficiencies but such time limits must be reasonable and give competing interests equal time. (Brown Act section 54954.3(b))

iii. Adjournments and Continuances.

In accordance with Brown Act section 54955, planning group meetings may be adjourned to a future date. Within 24 hours, a notice of adjournment must be clearly posted on or near the door of the place where the original meeting was to be held.

If a meeting is adjourned because less than a quorum was present, a new regular meeting agenda must be prepared. If a meeting is adjourned because no members of the planning group were present, the subsequent meeting, if not a regular meeting, must be noticed as if a special meeting.

In accordance with Brown Act section 54954.2, if a subsequent meeting is held more than 5 days from the original meeting, a new regular meeting agenda must be prepared; otherwise if 5 days or less, the original meeting agenda is adequate.

iv. Continued Items.

In accordance with Brown Act section 54955.1, if an item is continued from a prior regular meeting to a subsequent meeting more than 5 days from the original meeting, a new agenda must be prepared as if a regular meeting; otherwise the original meeting agenda is adequate.

v. Consent Agenda.

In accordance with Brown Act section 54954.3(a), for items to be considered for a “Consent Agenda” all of the following are required:

1. A subcommittee of the planning group has discussed the item at a noticed subcommittee meeting.
2. All interested members of the public were given an opportunity to address the subcommittee, and
2. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. Any interested member of the public may comment on a consent agenda item. Any interested member of the public may take a consent agenda item off the consent agenda by request.

vi. Quorum and Public Attendance.

This Policy defines a quorum as a majority of non-vacant seats of a planning group. In accordance with Brown Act section 54952.2, a quorum must be present in order to conduct business, to vote on projects and to take actions at regular or special planning group meetings.

In accordance with Brown Act section 54953.3, no member of the public shall be required, as a condition of attendance at any meeting of a planning group, to register or provide any other information. Any attendance list or request for information shall clearly state that completion of such information is voluntary. No member of the public may be charged a fee for admittance.

vii. Development Project Review.

Planning groups may not, as a condition of placing an item on their agenda, require applicants to submit additional information and materials beyond which the applicant has been required to submit as part of the City's project review application process.

It shall also be the duty of a planning group, when reviewing development projects, to allow participation of affected property owners, residents and business and not-for-profit establishments within proximity to the proposed development.

A planning group shall directly inform the project applicant or representative in advance each time that such review will take place and provide the applicant with an opportunity to present the project.

viii. Action on Agenda Items.

In accordance with Brown Act section 54954.2(b)(2), an item not noticed on the agenda may be added if either two-thirds of the entire elected membership, or every member if less than two-thirds are present, determine by a vote that there is a need to take an immediate action, but only if the need for action came to the attention of the planning group subsequent to the agenda being posted.

In accordance with Brown Act section 54953(c), planning groups shall not engage in, or allow, secret ballot or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or by e-mail, are also prohibited.

Votes taken on agenda items shall reflect the positions taken by the elected or appointed positions on the planning group identified in Article III, Section 1 of this Policy.

ix. Collective Concurrence.

In accordance with Brown Act section 54952.2, any attempt to develop a collective concurrence of the members of a planning group as to action to be taken on an item by members of the planning group, either by direct or indirect communication, by personal intermediaries, by serial meetings, or by technological devices, is prohibited, other than at a properly noticed public meeting.

ix. Special Meetings.

In accordance with Brown Act section 54956, the chair of a planning group, or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, and shall be prepared and posted at least 24 hours before a special meeting. Each member of a planning group shall receive the written notice of the meeting at least 24 hours before the time of the meeting as specified in the notice unless the member files with the planning group secretary a written waiver of notice at, or prior to the time of, the meeting. Written notice shall be delivered to each local newspaper of general circulation and radio or television station requesting notice in writing at least 24 hours before the time of the meeting. The notice shall identify the business to be transacted or discussed at the meeting. No other business shall be considered at this meeting. Public testimony on agenda items must be allowed; however, the non-agenda public comment period may be waived.

xi. Emergency Meetings.

Brown Act section 54956 describes emergency meetings for matters related to public health and safety. These matters are outside of the purview of a planning group and are prohibited under this Policy.

xii. Right to Record.

In accordance with Brown Act sections 54953.5 and 54953.6, any person attending a meeting of a planning group must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the planning group that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.

xiii. Disorderly Conduct.

In accordance with Brown Act section 54957.9, in the event that any planning group meeting is willfully interrupted by a person or group of persons, so as to make the orderly conduct of the meeting infeasible, the planning group may first cause removal of the individual or individuals. If that is unsuccessful then the planning group may order the meeting room cleared and continue in session on scheduled agenda items without an audience, except that representatives of the media shall be allowed to remain. The planning group may also readmit an individual or individuals who were not responsible for the disruption.

(b) Subcommittees

Recognized community planning groups are encouraged to establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

i. Standing Subcommittees.

Standing subcommittees are on-going subcommittees tasked with reviewing specific issue areas, such as development review. In accordance with Brown Act section 54952(b), all standing subcommittees of a planning group are subject to Brown Act public noticing and meeting requirements as set forth in Council Policy 600-24, Article IV, Section 2(a).

ii. Ad Hoc Subcommittees.

Ad hoc subcommittee meetings are established for a finite period of time to review more focused issue areas and are disbanded following their review.

While the Brown Act does not impose requirements upon ad hoc subcommittees when made up entirely of members of the planning group and constituting less than a quorum of the planning group (Brown Act section 54952), this Policy requires all subcommittee meetings be noticed and open to the public by inclusion of the meeting announcement on a regular meeting agenda, by an electronic notice, or by announcement at a regular planning group meeting.

iii. Subcommittee Composition.

All subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly-appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-17086 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

iv. Recommendations.

All subcommittee recommendations must be brought forth to the full planning group for formal vote at a noticed public meeting. In no case may a subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

(c) Abstentions and Recusals

i. Recusals.

Any member of a recognized community planning group with a direct economic interest in any project that comes before the planning group or its subcommittees must disclose to the planning group that economic interest, and must recuse himself or herself from voting and must not participate in any manner as a member of the planning group for that item on the agenda.

ii. Abstentions.

In limited circumstances, planning group members may abstain from either voting on an action item, or from participating and voting on an action item. The member must state, for the record, the reason for the abstention.

(d) Meeting Documents and Records

i. Agenda by Mail.

In accordance with Brown Act section 54954.1, requests to mail copies of a regular agenda, and any accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to a majority of the members of the recognized community planning group, whichever occurs first. A request to receive agendas and materials may be made for each calendar year and such request is valid for that entire year, but must be renewed by January 1st of the following year. A cost-recovery fee may be charged for the cost of providing this service.

ii. Agenda at Meeting.

In accordance with Brown Act section 54957.5, any written documentation, prepared or provided by City staff, applicants, or planning group members, that is distributed at a planning group meeting, shall be made available upon request for public inspection without delay. If such material is distributed at a planning group meeting, then it shall be made available upon request at the meeting. If such material is prepared by someone other than City staff, applicants, or planning group members, or is received from a member of the public during public testimony on an agenda item, then the material shall be made available for public inspection at the conclusion of the meeting. A cost-recovery fee may be charged for the cost of reproduction of any materials requested by an individual or individuals.

iii. Minutes.

For each planning group meeting, a report of planning group member attendance and a copy of approved minutes shall be retained by the planning group and shall be available for public inspection. The minutes of each planning group meeting shall include the votes taken on each action item and reflect the names for, against and abstaining when a vote is not unanimous. Recusals shall also be recorded. Minutes should record the names of the speakers, the nature of the public testimony, and whether each project applicant (whose project was subject to planning group action) appeared before the planning group. If an applicant did not appear before the planning group, the meeting minutes must indicate the date when and type of notification (e.g., electronic, telephonic, facsimile) provided to the applicant requesting his or her appearance at the planning group meeting.

A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning group.

Planning groups are not required to audio or videotape their meetings but if they do, in accordance with Brown Act section 54953.6, they are subject to a public request to inspect without charge. A cost-recovery fee may be charged for copies of recordings.

iv. Records Retention.

In accordance with Brown Act section 54957.5, planning group records must be retained for public review. City staff will establish a records retention schedule and method for collection and storage of material that will be utilized by all planning groups.

Section 3. It shall be the duty of a recognized community planning group and its members to periodically seek community-wide understanding of, and participation in, the planning and implementation process as specified in Article II, Section 1 of Council Policy 600-24. The planning group shall give due consideration to all responsible community attitudes insofar as these are deemed to be in the best long-range interest of the community at large.

Section 4. It shall be the duty of a recognized community planning group to maintain a current, up-to-date roster of the names, terms, and category/qualifications of planning group members in its possession, and to forward the current roster, as well as any updates, to the City. A planning group must also submit to the City, by the end of March each year, an annual report of accomplishments for the past calendar year and anticipated objectives for the coming year related to the duties enumerated in Article II, Section 1 of this Policy. Rosters and annual reports constitute disclosable records under the Brown Act.

Section 5. A recognized community planning group may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of the planning group to promote understanding and participation in the planning process. However, no membership dues shall be required and no fee may be charged as a condition of attendance at any planning group meeting. All contributions must be voluntarily made, and no official planning group correspondence may be withheld based on any individual's desire to not make a voluntary contribution.

Section 6. It shall be the duty of each recognized community planning group member to attend an orientation training session administered by the City as part of planning group and individual member indemnification pursuant to Ordinance No. O-17086 NS entitled “An Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages” and any future amendments thereto, as discussed further in Article X, Section 1.

It shall be the duty of the City to offer at least two orientation sessions each year as well as topic-specific sessions intended to advance the knowledge of planning group members in subjects within the scope of responsibilities of recognized community planning groups. Newly seated planning group members must complete an orientation training session within 12 months of being elected or appointed to a planning group or the member will become ineligible to serve.

ARTICLE VII Planning Group Officers

Section 1. The officers of a recognized community planning group shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson and Secretary and, by policy, a planning group’s bylaws may include such other officers as the planning group may deem necessary. Further duties of the officers may be defined in planning group bylaws. A planning group shall determine the length of an officer’s term in its bylaws, except that no person may serve in the same planning group office for more than eight or nine consecutive years. After a period of one year in which that person did not serve as an officer that person shall again be eligible to serve as an officer.

Section 2. Chairperson. The Chairperson shall be the principal officer of a recognized community planning group and shall preside over all planning group and communitywide meetings organized by the planning group.

Section 3. Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

Section 4. Secretary. The Secretary shall be responsible for a recognized community planning group’s correspondence, attendance records, and minutes and actions [including identification of those planning group members that constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons], and shall assure that planning group members and members of the public have access to this information. The Secretary may take on these responsibilities or may identify individuals to assist in these duties.

- Section 5. The Chairperson shall be a recognized community planning group's representative to the Community Planners Committee (CPC). However, by vote of a planning group, some other member may be selected as the official representative to CPC with the same voting rights and privileges as the Chairperson. Each planning group should also vote to select an alternate CPC representative.
- Section 6. It shall be the duty of the officers of recognized community planning groups and of the Community Planners Committee representative to promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

ARTICLE VIII Planning Group Policies and Procedures

- Section 1. In addition to incorporating the policies outlined in Articles I through VII into recognized community planning group bylaws, each planning group shall include policies and procedures found necessary for the group's effective operation under this Policy. The following topic areas are those to be addressed. Explanations of when and why to adopt procedures or policies are found in the Administrative Guidelines.
- (1) Community Participation, suggested but not limited to: community outreach; assurances of seeking diverse representation on the planning group.
 - (2) Planning Group Composition, suggested but not limited to: methods for anticipated conversion of planning group seats, such as developer seats or appointed seats, as applicable; general membership eligibility and recordkeeping, as applicable; involving the community at large.
 - (3) Conduct of Meetings, suggested but not limited to: meeting noticing, including subcommittees; meeting operations such as time limits on speakers and maintaining a civil meeting environment; subcommittee operations such as process for project reviews and bylaw amendments; role of the chair in voting; role of a general membership or the public in discussing agenda items.
 - (4) Member and Planning Group Responsibilities, suggested but not limited to: filling vacant seats either during a term or following an election; how planning group positions will be represented to the City; discipline or removal of an individual member; bylaw amendment process, including the development of procedures companion to the bylaws.
 - (5) Elections, suggested but not limited to: promoting planning group elections; determining eligibility of candidates and voters; ballot preparation, handling, and counting procedures; poll location and operation criteria; election challenges.

ARTICLE IX. Rights and Liabilities of Recognized Community Planning Groups

Recognized community planning groups operating under Council Policy 600-24 are afforded certain protections for their activities within their identified scope of responsibilities. In addition however, there are certain exposures for not operating in compliance: penalties imposed per this Policy and penalties associated with non-compliance with the Brown Act provisions that are identified in this Policy.

Section 1. Indemnification and Representation

A recognized community planning group and its duly elected or appointed members have a right to representation by the City Attorney and a right to indemnification by the City under Ordinance O-17086 NS, and any future amendments thereto, if: the claim or action against them resulted from their obligation to advise and assist the City and its agencies with land use matters as specified in Council Policy 600-24, Article II, Section 1; their conduct was in conformance with this Policy and the bylaws of the planning group and all findings specified in the ordinance can be made.

Section 2. Brown Act Remedies

As reviewed in a memorandum prepared by the City Attorney, issued November 3, 2006 (City Att’y MOL No. 2006-26), the Brown Act provides various remedies for violation of its provisions but by implementing bylaws and operating in compliance with this Policy, planning groups will be considered to be in substantial compliance with the Brown Act. Any planning group, or any of its individual members, may seek assistance and training from the City Attorney to conform with the Brown Act.

The Brown Act includes civil remedies (Brown Act section 54960) and criminal penalties (Brown Act section 54959) for violation of its provisions. Thus, planning groups are encouraged to proactively cure violations themselves. This is to prevent legal actions that would void planning group actions, and it assures good faith, voluntary compliance with the Brown Act.

Both individual members of a planning group, as well as the planning group as a whole, could potentially be subject to civil remedies. Civil remedies may include relief to prevent or stop violations of the Brown Act, or to void past actions of the planning group, and may in some cases include payment of attorneys fees.

Individual planning group members may potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, but only if the member intended to deprive the public of information which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions, but does not include mere deliberation without taking some action. Alleged violations will be reviewed and evaluated on a case-by-case basis.

Any planning group, or any of its individual members, may seek assistance, as well as training, from the City Attorney to better understand, to implement, and comply with the Brown Act.

Section 3. Council Policy 600-24 Violations and Remedies

Council Policy 600-24 provides various remedies for violation of its provisions by recognized community planning groups or their elected members. Where a planning group does not cure a violation by itself, it may forfeit its status as a recognized advisory body and lose its right to indemnification and defense by the City.

(a) Alleged Violations by a Member of a Planning Group

In the case of an alleged violation of this Policy or a planning group's adopted bylaws by a planning group member, the planning group may conduct an investigation consistent with the Administrative Guidelines and the adopted planning group bylaws.

If the planning group, after a thorough investigation, determines that the individual member has violated a provision of this Policy or the planning group's bylaws, the planning group shall, where feasible, seek a remedy that corrects the violation and allows the member to remain as a member of the planning group.

If corrective action or measures are not feasible, the planning group may remove a member by a two-thirds vote of the planning group. The vote to remove the member shall occur at a regularly scheduled public meeting subject to the procedures outlined in the Administrative Guidelines and in adopted planning group bylaws.

A member found to be not in compliance with the provisions of this Policy or adopted bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any future amendments thereto, as discussed further in Article IX, Section 1.

(b) Alleged Violations by a Planning Group

In case of an alleged violation of this Policy or adopted planning group bylaws by a planning group as a whole or multiple members of the planning group, the violation shall be forwarded in writing to the City for investigation by the Mayor's office. The City will engage in a dialogue with the planning group, determining the validity of the complaint, and seeking resolution of the issue or dispute.

If a violation against a planning group as a whole is proven and there is a failure of the planning group to take corrective action, the planning group will forfeit its rights to represent its community as a planning group recognized under this Policy. Such a determination resulting in the forfeiture of a seated group's rights to represent its community shall be based on a recommendation by the Mayor's office to the City Council. A planning group shall not forfeit its recognized status until there is an action by the City Council to remove the status. The City Council may also prescribe conditions under which official recognition will be reinstated.

A planning group found to be out of compliance with the provisions of this Policy or with its adopted bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any amendments thereto.

Attachment: Bylaws Shell

HISTORY:

Adopted by Resolution R-216888 09/29/76
Amended by Resolution R-257382 10/25/82
Amended by Resolution R-273369 05/02/89
Amended by Resolution R-276245 07/30/90
Amended by Resolution R-300940 10/17/05
Amended by Resolution R-302671 05/22/07

[CPG NAME] Bylaws
Amended [insert date]

ARTICLE I Name

- Section 1. The official name of this organization is the *[insert CPG name]*.
- Section 2. All activities of this organization shall be conducted in its official name.
- Section 3. The community planning area boundaries for the *[insert CPG name]* are the boundaries of the *[insert community name]* community, as shown on Exhibit "A".
- Section 4. Meetings of the *[insert CPG name]* shall be held within these boundaries, except that when the *[insert CPG name]* does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.
- Section 5. The official positions and opinions of the *[insert CPG name]* shall not be established or determined by any organization other than the planning group, nor by any individual member of the planning group other than one authorized to do so by the planning group.

ARTICLE II Purpose of Community Planning Group and General Provisions

- Section 1. The *[insert CPG name]* has been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to the *[insert community name]* community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency.
- Section 2. In reviewing individual development projects, the *[insert CPG name]* should focus such review on conformance with the adopted community plan and/or the General Plan. Preliminary comments on projects may be submitted to the City during the project review process. Whenever possible, the formal planning group recommendation should be submitted no later than the end of the public review period offered by the environmental review process. Upon receipt of plans for projects with substantive revisions, the planning group may choose to rehear the project and may choose to provide a subsequent formal recommendation to the City.

- Section 3. All activities of the *[insert CPG name]* shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, age, creed or national origin, or sexual orientation, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.
- Section 4. The *[insert CPG name]* shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Elected members shall not identify affiliation with a planning group when endorsing candidates for public office. The planning group may take a position on a ballot measure.
- Section 5. Pursuant to the provisions of City Council Policy 600-5, the *[insert CPG name]'s* failure to respond to the City's request for input on the preparation of, adoption of, implementation of, or amendment to, the General Plan or a community, precise, or specific plan, or failure to review and reply to the City in a timely manner on development projects shall result in the forfeiture of rights to represent the *[insert community name]* community for these purposes. Such a determination resulting in the forfeiture of rights to represent the community for these purposes shall be made only by the City Council upon the recommendation of the Mayor's Office.
- Section 6. The *[insert CPG name]* operates under the authority of the Ralph M. Brown Act which requires that meetings of the planning group are open and accessible to the public. In addition, Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" and these bylaws govern the operations of the planning group. Several provisions of these bylaws constitute Brown Act requirements as outlined in the Policy. In addition, the Administrative Guidelines provide explanations of the Policy's minimum standard operating procedures and responsibilities of this planning group. *Robert's Rules of Order Newly Revised* is used when the Policy, the Administrative Guidelines, and these bylaws do not address an area of concern or interest.
- Section 7. The *[insert CPG name]* may propose amendments to these bylaws by majority vote of the elected members of the planning group. Proposed amendments shall be submitted to the offices of the Mayor and City Attorney for review and approval. Any proposed amendments that are inconsistent with Council Policy 600-24 shall not be approved by the Mayor and City Attorney and shall be forwarded to the City Council President who shall docket the matter for Council consideration. Bylaw amendments are not valid until approved by the City.

ARTICLE III Community Planning Group Organizations

- Section 1. The *[insert CPG name]* shall consist of: INSERT a specific number between 12-20 and CHOOSE ONE OPTION: (A.) elected; or (B.) elected and appointed members to represent the community. These members of the planning group shall

constitute the officially recognized community planning group for the purpose of these bylaws and Council Policy 600-24.

Section 2. Council Policy 600-24 requires that elected members of the *[insert CPG name]* shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the *[insert CPG name]* elected seats are filled: CHOOSE ONE OPTION: (A.) by any eligible member identified below. There is no further restriction on the distribution of seats among interests in the community; or (B.) by distribution of seats among the following interests that represent the community: ___ seats for property owners; ___ seats for residents; and ___ seats for business representatives. [go on to describe any further segmentation of these overall categories]; or (C.) by a geographic distribution of seats among [census tracts or neighborhoods or other geographic subdivisions] as follows: ___ seats for [area]; ___ seats for [area]; etc. [go on to describe any further segmentation of these geographic seats].

Planning group members shall be elected by and from eligible members of the community. To be an eligible community member an individual must be at least 18 years of age, and shall be affiliated with the community as a:

- (1) property owner, who is an individual identified as the sole or partial owner of record, or their designee, of a real property (either developed or undeveloped), within the community planning area, or
- (2) resident, who is an individual whose primary address of residence is an address in the community planning area, or
- (3) local business person, who is a local business or not-for-profit owner, operator, or designee at a non-residential real property address in the community planning area.

An individual may become an eligible member of the community by: CHOOSE ONE OPTION: (A.) attending [insert one, two or three] meeting/s of the *[insert CPG name]* and submitting [identify whether demonstration of eligibility may be accomplished by an application and/or by documented meeting attendance] prior to the March general election; or (B.) demonstrating qualifications to be an eligible member of the community to the planning group Secretary or Election Committee prior to the March election or at the time of voting.

Once eligibility to vote is established, an individual remains an eligible member of the community until a determination is made that the individual does not meet the planning group's criteria and formal action is taken by the planning group. However, the *[insert CPG name]* shall require proof of eligibility during elections.

INSERT IF APPLICABLE: in addition to elected members, the *[insert CPG name]* has ___ appointed seats to better represent specific interests of the community. This/these seat(s) are appointed by _____ *[identify appointing agency]*. Appointed seats are: CHOOSE ONE OPTION: (A.) counted in the _____ *[insert number of members]* planning group membership and vote on planning group business; or, (B.) are not counted in the _____ *[insert number of members]* planning group membership and function in an advisory capacity.

Section 3. Members of the *[insert CPG name]* shall be elected to serve for fixed terms of: CHOOSE ONE OPTION: (A.) 2 years; or (B.) 3 years; or (C.) 4 years with expiration dates during alternate years to provide continuity.

No person may serve on the planning group for more than: CHOOSE ONE OPTION: (A.) eight; or (B.) nine consecutive years.

The: CHOOSE ONE OPTION: (A.) eight; or (B.) nine year limit refers to total maximum consecutive years of service time, not to individual seats held.

After a one-year break in service as a planning group member, an individual who had served for: CHOOSE ONE OPTION: (A.) eight; or (B.) nine consecutive years shall again be eligible for election to the planning group.

The planning group will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats the planning group may retain some members who have already served for: CHOOSE ONE OPTION: (A.) eight; or (B.) nine consecutive years to continue on the planning group without a break in service. Refer to Council Policy 600-24 Article III, Section 4 for further clarification.

Section 4. A member of the *[insert CPG name]* must retain eligibility during the entire term of service.

Section 5. A member of the *[insert CPG name]* found to be out of compliance with the provisions of Council Policy 600-24 or the planning groups adopted bylaws risks loss of indemnification *[legal protection and representation]* pursuant to Ordinance No. O-17086 NS, and any future amendments thereto.

Section 6. Some provisions of these bylaws constitute requirements under the Brown Act, as outlined in Council Policy 600-24. A member of the *[insert CPG name]* who participates in a meeting of the planning group where actions are alleged to have been in violation of the Brown Act may be subject to civil or criminal consequences.

ARTICLE IV Vacancies

Section 1. The *[insert CPG name]* shall find that a vacancy exists upon receipt of a resignation in writing from one of its members or upon receipt of a written report from the planning group's secretary reporting the third consecutive absence or fourth absence in the 12-month period of April through March each year, of a member(s) from the planning groups regular meetings.

Section 2. Vacancies that may occur on the *[insert CPG name]* shall be filled not later than 120 days following the date of the determination of the vacancy. The term of office of any member filling a vacancy shall be for the balance of the vacated term.

The *[insert CPG name]* shall fill vacancies at the time the vacancies are declared [provide detail and timeframe]. Vacancies shall be filled by: **CHOOSE ONE** OPTION: (A.) selection by planning group members at the time the vacancies are declared. [provide detail and timeframe]; or (B.) an advertised general election pursuant to Article V. [provide detail and timeframe].

Section 3. When the *[insert CPG name]* is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, either the seat may remain vacant until the next planning group election, or these bylaws may be amended to permit decreased membership to a minimum of 12 members. If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 12 elected planning group members in good standing, the planning group shall report in writing the efforts made to fill the vacancy to the City. If, after 60 additional days, the planning group membership has not reached 12 members, the planning group will be deemed inactive until it has attained at least 12 members in good standing.

ARTICLE V Elections

Section 1. General elections of *[insert CPG name]* members shall be held during the month of March in accordance with the elections procedures found in Exhibit ___ of these bylaws.

The *[insert CPG name]*'s general elections shall be held: **CHOOSE ONE** OPTION: (A.) annually; or (B.) every two years.

The deadline to qualify for candidacy in the March general election shall be prior to the February noticed regular or special meeting of the full planning group membership preceding the election. The planning group's Election subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee shall present to the planning group a complete list of interested candidates collected up to that point in time. Candidates may be added at the

February meeting. A candidate forum may be advertised and held at the February meeting.

In order to be a candidate in the March election, an eligible member of the community [see Article III, Section 2] must have documented attendance at: CHOOSE ONE OPTION: (A.) one; or (B.) two; or (C.) three meeting/s of the [insert CPG name]'s last 12 meetings prior to the February regular meeting preceding the election.

Section 2. The [insert CPG name] shall make a good faith effort to utilize means appropriate to publicize the planning group's eligibility requirements for candidacy and the upcoming elections.

In the election process, the planning group shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for: CHOOSE ONE OPTION: (A.) eight; (B.) nine consecutive years to leave the group for at least one year.

The [insert CPG name] holds its election: CHOOSE ONE OPTION: (A.) at the March regular meeting. [provide details]; or (B.) at a special meeting in March. [provide details]; or (C.) at multiple locations the day of the regular March meeting [provide details]; or (D.) at multiple locations prior to the regular March meeting. [provide details]; or (E.) on multiple days prior to the regular March meeting. [provide details]; or (F.) utilizing a combination of mail-in ballots and voting at the regular March meeting. [provide details]

INCLUDE IF 'E' SELECTED: The [insert CPG name] shall submit procedures to vote on more than one day to the Mayor and the City Attorney 45 days in advance of the 1st day of voting for review and approval.

The [insert CPG name] will require proof of identity of those eligible community members who are seeking to vote in the election. The planning group shall ensure that voting is only by eligible members of the community.

The ballot presented to eligible community members to vote will clearly identify which seats individual candidates are running for, how many candidates can be selected, whether there are limitations on which candidates various categories of eligible community members can vote for and which candidates, if any, must receive a 2/3 majority of the vote due to service beyond eight or nine consecutive years of service.

The [insert CPG name] planning group's policy related to write-in candidates is that: CHOOSE ONE OPTION: (A.) write-in candidates are not allowed; or (B.) write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

COUNCIL POLICY

- Section 3. Voting shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances. Development and promotion of "slates" of candidates is contrary to the intent of Council Policy 600-24 and is not allowed.
- Section 4. The *[insert CPG name]*'s election becomes final after announcing the election results: **CHOOSE ONE OPTION:** (A.) at the conclusion of the noticed, regular March monthly planning group meeting; or (B.) at a noticed, special meeting of the planning group prior to the start of the regular April monthly meeting. The Chair is responsible for preparing, certifying and forwarding the election report to the City. New members shall be seated in April at the start of the regular meeting in order to allow their full participation as elected members at the April planning group meeting.
- Any challenge to the election results must be filed with the chair of the Elections subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.
- Section 5. Article VIII, Section 1(e) contains all voting procedures, including: **CHOOSE ALL THAT APPLY:** voting time/s; voting locations/s; voting eligibility; candidate eligibility; elections committee establishment and responsibilities; promotion of elections; counting votes [plurality, etc.]; ballots; write-in candidates; poll locations/s; mail-in ballots [if applicable]; managing polls and counting ballots; reporting election results to the Chair, and, election challenge criteria and procedures.

ARTICLE VI Community Planning Group and Planning Group Member Duties

- Section 1. It is the duty of the *[insert CPG name]* to cooperatively work with the City throughout the planning process, including but not limited to the formation of long-range community goals, objectives and proposals or the revision thereto for inclusion in a General or Community Plan.

It is the duty of all planning group members to conduct official business of the planning group in a public setting. It is recognized that the officers of the planning group may oversee administrative business of the planning group, such as the assembling of the draft agenda, in preparation for public discussions. However, all substantive discussions about agenda items or possible group positions on agenda items shall occur at the noticed planning group meetings.

It is the duty of a planning group as a whole, and of each individual member, to refrain from conduct that is detrimental to the planning group or its purposes under Council Policy 600-24. No member shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group's agenda.

Section 2. **(a) Meeting Procedures**

It shall be the duty of each member of the *[insert CPG name]* to attend all planning group meetings.

(i) **REGULAR AGENDA POSTING** - At least 72 hours before a regular meeting, the agenda containing a brief general description of each agenda item shall be posted. The brief general description of each agenda item need not exceed 20 words per item unless the item is complex. The agenda shall also provide notice of the date, time and location of the meeting. The agenda shall be posted in a place freely accessible to the general public and shall include information on how a request for accessible accommodation may be made.

The listing of the agenda item shall include the intended action of the planning group regarding that item [e.g., information item, action item].

(ii) **PUBLIC COMMENT**- Any interested member of the public may comment on agenda items during regular or special planning group meetings. In addition, each agenda for a regular planning group meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda but are within the scope of authority of the planning group. Planning group members may make brief announcements or reports to the planning group on their own activities under the public comment section of the agenda. The planning group may adopt time limits for public comment to ensure operational efficiencies.

(iii) **ADJOURNMENTS AND CONTINUANCES** – If the *[insert CPG name]* does not convene a regularly scheduled meeting, there shall be a copy of the "Notice of Adjournment" of the meeting posted on or near the door of the place where the adjourned meeting was to be held within 24 hours after the time the meeting was to be held.

If a meeting is adjourned because less than a quorum was present, a new regular meeting agenda must be prepared. If a meeting is adjourned because no members of the planning group were present, the subsequent meeting, if not a regular meeting, must be noticed as if a special meeting.

(iv) **CONTINUED ITEMS** - If an item is continued from a prior regular meeting to a subsequent meeting more than 5 days from the original meeting, a new agenda must be prepared as if a regular meeting; otherwise the original meeting agenda is adequate.

COUNCIL POLICY

- (v) **CONSENT AGENDA** - For items to be considered for a “Consent Agenda” all of the following are required:
1. A subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,
 2. All interested members of the public were given an opportunity to address the subcommittee, and
 3. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. Any interested member of the public may comment on a consent agenda item. Any interested member of the public may take a consent agenda item off the consent agenda by request.

(vi) **QUORUM AND PUBLIC ATTENDANCE** - A quorum, defined as a majority of non-vacant seats of a planning group, must be present in order to conduct business, to vote on projects, and to take actions at regular or special planning group meetings.

No member of the public shall be required, as a condition of attendance at any meeting of the planning group, to register or provide any other information. Any attendance list or request for information shall clearly state that completion of such information is voluntary. No member of the public may be charged a fee for admittance.

(vii) **DEVELOPMENT PROJECT REVIEW** - The *[insert CPG name]* may not, as a condition of placing an item on the agenda, require applicants to submit additional information and materials beyond which the applicant has been required to submit as part of the City's project review application process.

When reviewing development projects, the planning group shall allow participation of affected property owners, residents and business establishments within proximity to the proposed development.

The planning group shall directly inform the project applicant or representative in advance each time that such review will take place and provide the applicant with an opportunity to present the project.

(viii) **ACTION ON AGENDA ITEMS** - An item not noticed on the agenda may be added if either two-thirds of the entire elected membership, or every member if less than two-thirds are present, determine by a vote that there is a need to take an immediate action, but only if the need for action came to the attention of the planning group subsequent to the agenda being posted.

COUNCIL POLICY

The *[insert CPG name]* planning group's chair: **CHOOSE ONE OPTION:** (A.) fully participates in planning group discussions and votes on all action items; or (B.) participates in discussions but does not vote except to make or break a tie; or (C.) does not participate in discussions or vote on action items.

The planning group shall not engage in, or allow, secret ballot or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or by e-mail are also prohibited.

Votes taken on agenda items shall reflect the positions taken by the elected or appointed positions on the planning group identified in Article III, Section 1 of Council Policy 600-24.

(ix) **COLLECTIVE CONCURRENCE** - Any attempt to develop a collective concurrence of the members of the *[insert CPG name]* as to action to be taken on an item by members of the planning group, either by direct or indirect communication, by personal intermediaries, by serial meetings, or by technological devices, is prohibited, other than at a properly noticed public meeting.

(x) **SPECIAL MEETINGS** - The chair of the *[insert CPG name]*, or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, and shall be prepared and posted at least 24 hours before a special meeting. Each member of the planning group shall receive the written notice of the meeting at least 24 hours before the time of the meeting as specified in the notice unless the member files with the planning group secretary a written waiver of notice at, or prior to the time of, the meeting.

Written notice shall be delivered to each local newspaper of general circulation and radio or television station requesting notice in writing at least 24 hours before the time of the meeting. The notice shall identify the business to be transacted or discussed at the meeting. No other business shall be considered at this meeting. Public testimony on agenda items must be allowed; however, the non-agenda public comment period may be waived.

(xi) **EMERGENCY MEETINGS** - Emergency meetings, requiring no public notice, are called for matters related to public health and safety. These matters are outside of the purview of the *[insert CPG name]* and are prohibited under this bylaws.

(xii) **RIGHT TO RECORD** - Any person attending a meeting of the *[insert CPG name]* must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the planning group that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.

COUNCIL POLICY

(xiii) **DISORDERLY CONDUCT** - In the event that any planning group meeting is willfully interrupted by a person or group of persons, so as to make the orderly conduct of the meeting infeasible, the planning group may first cause removal of the individual or individuals. If that is unsuccessful then the planning group may order the meeting room cleared and continue in session on scheduled agenda items without an audience, except that representatives of the media shall be allowed to remain. The planning group may also readmit an individual or individuals who were not responsible for the disruption.

(b) Subcommittees

The *[insert CPG name]* may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

(i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the *[insert CPG name]* as identified in Article II, Section 1, the planning group has established: **CHOOSE ONE OPTION:** (A.) no standing subcommittees but will create, as needed, an ad hoc subcommittee to address a particular planning or operational matter [such as the Elections subcommittee]; (B.) the following standing subcommittees [provide list including: number of members; duties; duration of subcommittee]; or (C.) a combination [provide information as in (A) or (B)].

(ii) **AD HOC SUBCOMMITTEES** - Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.

(iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-17086 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

(iv) **RECOMMENDATIONS** – Subcommittee recommendations must be brought forth to the full planning group for formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

(c) Abstentions and Recusals

(i) **RECUSALS** - Any member of the *[insert CPG name]* with a direct economic interest in any project that comes before the planning group or its subcommittees must disclose to the planning group that economic interest, and must recuse from voting and not participate in any manner as a member of the planning group for that item on the agenda.

(ii) **ABSTENTIONS** – In limited circumstances, planning group members may abstain from either voting on an action item, or from participating and voting on an action item. The member must state, for the record, the reason for the abstention.

(d) Meeting Documents and Records

(i) **AGENDA BY MAIL** - Requests to mail copies of a regular agenda, and any accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to a majority of the members of the community planning group, whichever occurs first. A request to receive agendas and materials may be made for each calendar year and such request is valid for that entire year, but must be renewed by January 1 of the following year. A cost-recovery fee may be charged for the cost of providing this service.

(ii) **AGENDA AT MEETING** - Any written documentation, prepared or provided by City staff, applicants, or planning group members, that is distributed at the planning group meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the planning group meeting, then it shall be made available upon request at the meeting. If such material is prepared by someone other than City staff, applicants, or planning group members, or is received from a member of the public during public testimony on an agenda item, then the material shall be made available for public inspection at the conclusion of the meeting. A cost-recovery fee may be charge for the cost of reproducing any the materials requested by an individual or individuals.

(iii) **MINUTES** – For each planning group meeting, a report of *[insert CPG name]* member attendance and a copy of approved minutes shall be retained by the planning group, and shall be available for public inspection. The minutes of each planning group meeting shall include the votes taken on each action item and reflect the names for, against and abstaining when the vote is not unanimous. Recusals shall also be recorded. Minutes should record speakers and public testimony, and whether each project applicant (whose project was subject to planning group action) appeared before the planning group. If an applicant did not appear before the planning group then the meeting minutes must indicate the date when and type of notification (e.g. electronic, telephonic, facsimile) provided to

the applicant requesting his or her appearance at the planning group meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning group.

The *[insert CPG name]* is not required to audio or videotape meetings but if recordings are made, they are subject to a public request to inspect without charge. A cost-recovery fee may be charged for copies of recordings.

(iv)RECORDS RETENTION – *[insert CPG name]* records must be retained for public review. City staff will establish a records retention schedule and method for collection and storage of materials that will be utilized by all planning groups.

- Section 3. It shall be the duty of the *[insert CPG name]* and its members to periodically seek community-wide understanding of and participation in the planning and implementation process as specified in Article II, Section 1. The planning group shall give due consideration to all responsible community attitudes insofar as these are deemed to be in the best long range interest of the community at large.
- Section 4. It shall be the duty of the *[insert CPG name]* to maintain a current, up-to-date roster of the names, terms, and category/qualifications of planning group members in its possession, and to forward the current roster, as well as any updates, to the City. The planning group must also submit to the City, by the end of March each year, an annual report of accomplishments for the past calendar year and anticipated objectives for the coming year related to Article II, Section 1 above. Rosters and annual reports constitute disclosable records under the Brown Act.
- Section 5. The *[insert CPG name]* may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of the planning group to promote understanding and participation in the planning process. However, no membership dues shall be required and no fee may be charged as a condition of attendance at any planning group meeting. All contributions must be voluntarily made, and no official planning group correspondence may be withheld based on any individual's desire to not make a voluntary contribution.
- Section 6. Each elected *[insert CPG name]* member is required to attend an orientation training session administered by the City as part of planning group and individual member indemnification pursuant to Ordinance No. O-17086 NS, and any future amendments thereto. Newly seated planning group members must complete a basic orientation training session within 12 months of being elected or appointed to a planning group or the member will be ineligible to serve.

ARTICLE VII Planning Group Officers

COUNCIL POLICY

- Section 1. The officers of the *[insert CPG name]* shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson and Secretary. **OPTION: insert any other officer as defined by the planning group.** The length of an officer's term shall be: **OPTION: insert duration of term,** except that no person may serve in the same planning group office for more than eight or nine consecutive years. After a period of one year in which that person did not serve as an officer that person shall again be eligible to serve as an officer.
- Section 2. Chairperson. The Chairperson shall be the principal officer of a recognized community planning group and shall preside over all planning group and communitywide meetings organized by the planning group. **OPTION: insert any further duties as defined by planning group. Example duties would be setting the agenda, point of contact for development applicants, etc.**
- Section 3. Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. **OPTION: insert any further duties as defined by planning group.**
- Section 4. Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group members that constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons], and shall assure that planning group members and members of the public have access to this information. The Secretary may take on these responsibilities or may identify individuals to assist in these duties. **OPTION: insert any further duties as defined by planning group.**
- Section 5. The Chairperson shall be a recognized community planning group's representative to the Community Planners Committee (CPC). However, by vote of the planning group, a planning group member other than the chair may be selected as the official representative to CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair for either representative, as well as for the planning group's alternate to CPC shall be forwarded in writing to the staff representative to CPC prior to extension of voting rights and member attendance.
- Section 6. The *[insert CPG name]* officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

ARTICLE VIII Planning Group Policies and Procedures

Section 1. The *[insert CPG name]* bylaws incorporate policies and procedures directed by Article I through VII of Council Policy 600-24. These bylaws also contain some policies and procedures recommended in Article VIII of Council Policy 600-24. This bylaws Article lists additional procedures which are found in Exhibits attached to the bylaws.

Any procedures found in exhibits have the same effect as if they were incorporated directly into Articles I through VII of the bylaws. They are separated into exhibits for ease of understanding.

Listed procedures are grouped by category as follows: Community Participation; Planning Group Composition; Conduct of Meetings; Member and Planning Group Responsibilities; and Elections.

(a) Community Participation

The following are the *[insert CPG name]* procedures regarding community participation:

OPTION: Detail any community participation procedures the planning group has.

OPTION: List actions or state intent of planning group to grow interest in planning group activities and to encourage diversity.

NOTE: If it is necessary, separate procedures can be adopted by the planning group for topics in this Section.

(b) Planning Group Composition

The following are the *[insert CPG name]* procedures pursuant to Article III, Section 2 regarding planning group composition:

OPTION: If planning group anticipates conversion of seats from one category to another, detail here.

OPTION: If any seats are appointed [rather than elected], discuss appointment process here.

OPTION: Refer to form used for determining eligible community member

(c) Conduct of Meetings

The following are the *[insert CPG name]* procedures regarding conduct of planning group meetings:

OPTION: Discuss efforts by the planning group to notice meeting agendas.

OPTION: Discuss meeting operation, including public comment [when on the agenda and how much time], how consent items are handled, maintaining a civil meeting environment, how the public/audience participates in discussion items on the agenda; order of items on the agenda.

OPTION: Discuss specifics of subcommittee membership and operation.

OPTION: Discuss operation of the planning group's development review subcommittee operations.

OPTION: Discuss the Elections Subcommittee.

OPTION: Discuss any detail about the chair's voting or non-voting option that isn't discussed in Article VI, Section 5.

(d) Member and Planning Group Responsibilities

The following are the *[insert CPG name]* procedures regarding member and planning group responsibilities:

OPTION: Discuss how the planning group's positions may be represented to the City on planning issues that are not project review recommendations.

OPTION: Discuss internal bylaws amendment process, prior to submittal to the City staff.

OPTION: Discuss when procedures might be developed.

OPTION: Discuss any voluntary financial contributions, including purpose and use.

OPTION: Discuss any regular participation on other committees or with other organizations.

(e) Elections

The Elections Handbook, which is an attachment to the Administrative Guidelines, provides general guidance for planning group elections. The following are procedures pertaining to the elections provisions of these bylaws:

OPTION: Specifically detail procedures for ALL policies listed in Article V, Sections 1 and 2 related to planning group elections and voting.

ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups

Section 1. **Indemnification and Representation.** The *[insert CPG name]* and its duly elected or appointed members have a right to representation by the City Attorney and a right to indemnification by the City under Ordinance O-17086 NS, and any future amendments thereto, if the claim or action against them resulted from their obligation to advise and assist the City and its agencies with land use matters as specified in Policy 600-24, Article II, Section 1; their conduct was in conformance with Policy 600-24 and these bylaws; and all findings specified in the ordinance can be made.

Section 2. **Brown Act Remedies.** The *[insert CPG name]* and its duly elected members may be subject to both Council Policy 600-24 violations as described in Section 3 below and penalties provided for in the Brown Act. The Brown Act includes criminal penalties and civil remedies. Both individual members of the planning group, as well as the planning group itself, may be subject to civil remedies. Under certain circumstances, individual planning group members may face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, and where the member intended to deprive the public of information to which the member knows or has reason to know the public is entitled. Alleged violations will be reviewed and evaluated on a case-by-case basis.

Section 3. **Council Policy 600-24 Violations and Remedies.**

(a) Alleged Violations by a Member of the *[insert CPG name]*

In cases of alleged violations of the *[insert CPG name]* bylaws or Council Policy 600-24 by a planning group member, the planning group may conduct an investigation consistent with the Administrative Guidelines and these bylaws.

A complaint that an individual member of a planning group violated one or more provisions of the planning group's bylaws or Council Policy 600-24 may be submitted to the planning group chair by any individual, including another planning group member. The complaint should be filed within 90 days of the alleged violation.

If, after a thorough investigation, the planning group determines that the individual member has violated a provision of these bylaws or Council Policy 600-24, the planning group shall, where feasible, seek a remedy that corrects the violation and allows the member to remain as a member of the planning group.

If corrective action or measures are not feasible, the planning group may remove a member by a two-thirds vote of the planning group. The vote to remove the group member shall occur at a regularly scheduled public meeting subject to the procedures outlined in the Administrative Guidelines and these bylaws.

If the planning group member found to be out of compliance with the provisions of these bylaws or Council Policy 600-24, the planning group risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:

Any action by the *[insert CPG name]* to discipline or remove a member must occur at a scheduled planning group meeting and be advertised on the agenda as an action item. Due to the significant nature of removing an elected member, and to ensure a fair and public process, the procedures for investigating a violation of a member are listed below:

Documenting a violation:

- A complaint that a violation of bylaws of Council Policy 600-24 has occurred will be presented to the planning group chair. If the complaint is about the chair, it may be presented to any other officer of the planning group.
- The complaint should be detailed enough to provide a description of, and timeframe within which, the alleged violation was committed and who was responsible for the violation.
- The complaint should provide a citation of the bylaws or Council Policy 600-24 provisions of which the action is claimed to violate. If the complaint is from someone other than another planning group member, the chair [or other officer] may assist in providing appropriate citations to assist the complainant.
- The chair will confer with the planning group officers [exception: if an officer is the subject of the grievance or has a business or personal relationship with the alleged violator] regarding the complaint.
- The chair shall create a written record of the complaint and alleged violation to share with the alleged violator.

Procedures for administering and acting on investigating a violation: While the authority for this process rests with this planning group, City staff may be contacted for assistance at any point in the process.

- Once the information about an alleged violation is completed in writing, the chair, with assistance from the planning group officers, will meet and talk with the planning group member against whom the violation is alleged. The allegations will be presented and the planning group member shall be given opportunity for rebuttal.
- If the chair, with assistance from the planning group officers, determines that no violation has actually occurred, the chair may record this in the written record of the complaint.
- If the chair, with assistance from the planning group officers, determines that a violation has occurred but the situation can be remedied either by action of the planning group or by the planning group member, then the chair will outline the necessary actions to achieve the remedy.
- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and *[insert CPG name]* would best be served by the removal of the planning group member, then the chair shall set the matter for discussion at the next planning group meeting. The planning group member who committed the violation shall be given adequate notice about the meeting discussion, and will be given the opportunity to resign prior to docketing the matter for a planning group discussion.

Presenting a violation to the planning group:

- The matter of removing a seated planning group member will be placed on the planning group's agenda as a potential action item. Supporting materials from the chair or from the offending planning group member will be made available to the elected planning group members prior to the meeting.
- The matter will be discussed at the planning group's regular meeting with opportunity given to the planning group member who committed the violation to present their case and/or rebut documentation gathered by the chair with the assistance of the planning group officers. The member may also request a continuance of the item to gather more information to present to the planning group.

- At the end of the discussion, the planning group may, by a 2/3 vote, choose to remove the member.

Recourse for expelled member:

- There is no appeal available to an elected planning group member removed by a 2/3 vote of their recognized community planning group.
- The planning group member's seat shall be immediately declared vacant and subject to provisions of Article IV.
- The removal of a planning group member by a 2/3 vote of their recognized community planning group will not prohibit the member from running for a planning group seat in future scheduled elections.

(b) Alleged Violations Against the *[insert CPG name]* as a Whole

In the case of an alleged violation of the planning group's bylaws or of Council Policy 600-24 by the planning group as a whole or multiple members of the planning group, the violation shall be forwarded in writing to the City. The Mayor's Office will engage in a dialogue with the planning group, determining the validity of the complaint, and seeking resolution of the issue or dispute. The *[insert CPG name]* will work with the City toward a solution and the planning group recognizes that, in accordance with Council Policy 600-24, the City may consult with the Community Planners Committee.

If a violation against the planning group as a whole is proven and there is a failure of the planning group to take corrective action, the planning group will forfeit its rights to represent its community as a community planning group recognized under Council Policy 600-24. Such a determination resulting in the forfeiture of a seated group's rights to represent its community shall be based on a recommendation by the Mayor's Office to the City Council. A planning group shall not forfeit its recognized status until there is an action by the City Council to remove the status. The City Council may also prescribe conditions under which official recognition will be reinstated.

If the planning group is found to be out of compliance with the provisions of this Policy not subject to the Brown Act or its adopted bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any future amendments thereto.

Exhibit A: *[insert CPG name]* Boundary Map

Bylaws Shell Date: 6/1/07

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

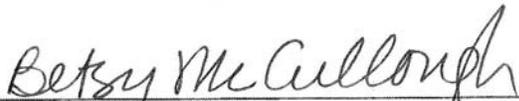
ADMINISTRATIVE GUIDELINES

FOR IMPLEMENTATION OF COUNCIL POLICY 600-24: Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups

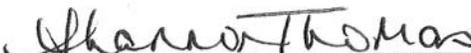
****Please note that these guidelines will be updated to reflect changes
to Council Policy 600-24 as of May 22, 2007****

Approved July 1991
Amended May 2001
Amended April 26, 2006

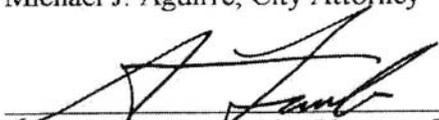
PREPARED BY:


Betsy McCullough, Acting Planning Director

CONSISTENT WITH
COUNCIL POLICY 600-24:


Michael J. Aguirre, City Attorney

IN CONSULTATION WITH:


Steve Laub, Community Planners Committee Chair



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

TABLE OF CONTENTS

INTRODUCTION

1. OVERVIEW OF RECOGNIZED COMMUNITY PLANNING GROUPS

1.1 ROLES AND AUTHORITIES

1.2 ENCOURAGING COMMUNITY PARTICIPATION

- **Community Outreach**
- **Diverse Representation**

2. RECOGNIZED COMMUNITY PLANNING GROUP COMPOSITION

2.1 CATEGORIES OF MEMBERSHIP

- **Elected Planning Group Members**
- **Appointed Members**
- **Community At Large**
- **General Membership**

2.2 TERM LIMITATIONS

- **Basic Term**
- **Continuous Service Beyond Basic Term**

2.3 SUBCOMMITTEES

3. CONDUCT OF RECOGNIZED COMMUNITY PLANNING GROUP MEETINGS

3.1 OPEN MEETINGS

3.2 NOTIFICATION OF MEETINGS

- **Regular Meetings**
- **Special Meetings**
- **Emergency Meetings**
- **Subcommittee Meetings**

3.3 ATTENDANCE AND QUORUMS

- **Attendance**
- **Quorums**



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

3.4 PARLIAMENTARY PROCEDURE AND VOTING

- **Robert's Rules Of Order Newly Revised**
- **The Agenda**
- **Debates On Motions**
- **Voting Obligations**
- **Point Of Order**
- **Official Positions Of Planning Groups**
- **Calculating A Vote**
- **Voting Rights Of The Chair**
- **Multiple Votes On Projects Or Policies**
- **Minutes**

3.5 DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS

- **Direct Economic Interest and Recusals**
- **How To Evaluate The Presence Of Direct Economic Interest**
- **Abstentions**

4. RESPONSIBILITIES AND PROCEDURES

4.1 COMMUNITY PLANNING GROUP ORIENTATION TRAINING

4.2 INDEMNIFICATION ORDINANCE

4.3 ELECTED MEMBER ROSTERS

4.4 ANNUAL REPORTS

4.5 REPRESENTATIVES AT THE COMMUNITY PLANNERS COMMITTEE

4.6 DISTRIBUTION OF INFORMATION

4.7 FILLING VACANCIES

- **General Provisions**
- **Filling A Vacated Seat With An Individual From A Different Category**
- **Vacancy Due To Ineligibility During A Term**

4.8 ENDORSEMENTS AND REPRESENTATIONS

4.9 MAKING AMENDMENTS TO ADOPTED BYLAWS

- **General Provisions**
- **Amendments Affecting Elections**



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

4.10 DISCIPLINE OR REMOVAL OF ELECTED MEMBERS OR VIOLATIONS BY A PLANNING GROUP

- **Individual Members' Actions**
- **Violations By An Entire Planning Group**

4.11 CODE OF CONDUCT

5. ELECTIONS

5.1 ELECTION PROCEDURES

- **Impartiality And Objectivity**
- **Individual Planning Group Responsibilities**
- **Promoting Planning Group Elections**
- **Voting Proxies**
- **Majority Vote, Preferential Vote, And Plurality Vote**
- **Planning Group Election Procedures**

ATTACHMENTS

- 1. Sample Registration for Planning Group Membership Application**
- 2A. Sample Planning Group City Use Roster**
- 2B. Sample Planning Group Public Use Roster**
- 3. Annual Report Format**
- 4. Community Planners Committee [CPC] Membership Data Form**

APPENDICES BY REFERENCE

- 1. ELECTIONS HANDBOOK**
- 2. COUNCIL POLICY 600-24**
- 3. O-17086 NS INDEMNIFICATION ORDINANCE**
- 4. ENGAGING IN PUBLIC DIALOG HANDBOOK**



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

SECTION	TITLE	COUNCIL POLICY SECTION	HISTORY
--	INTRODUCTION	POLICY	ADDED APRIL 2006

INTRODUCTION

These Administrative Guidelines are intended to assist recognized community planning groups and City staff in creating, implementing, and amending bylaws established for the operation of planning groups recognized under Council Policy 600-24. Recognized community planning groups consist of the 12-20 elected planning group members discussed in the Policy.

These Administrative Guidelines were prepared after the initial adoption of Council Policy 600-24. They are a result of a need by recognized community planning groups to be able to rely upon a more detailed discussion of appropriate operating procedures and responsibilities than can be provided in a council policy.

These Administrative Guidelines are intended to interpret provisions of Council Policy 600-24 and to discuss ways to incorporate the Policy requirements into individually-developed bylaws of recognized community planning groups. The Guidelines are not intended to contradict the Policy or to recommend bylaw provisions that are inconsistent with the Policy.

For purposes of Council Policy 600-24, the Administrative Guidelines, Ordinance O-17086 NS entitled "An Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages," and adopted planning group bylaws, the term *recognized community planning committee* and *recognized community planning group* are used interchangeably. *Recognized community planning group*, in turn, is abbreviated throughout the Administrative Guidelines to *planning group*. In addition, an individual planning group may identify itself as a *planning group*, *planning committee*, *community council*, *advisory committee*, or *planning board*, etc. Regardless of the descriptor, the planning group in the community that is the one recognized under this Policy is subject to the Policy and Administrative Guidelines and Ordinance O-17086 NS, and is provided the status afforded by the Policy.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

1.0 OVERVIEW OF RECOGNIZED COMMUNITY PLANNING GROUPS

SECTION	TITLE	COUNCIL POLICY SECTION	HISTORY
1.1	ROLES AND AUTHORITIES	POLICY	ADDED APRIL 2006
1.2	ENCOURAGING COMMUNITY PARTICIPATION <ul style="list-style-type: none">• COMMUNITY OUTREACH• DIVERSE REPRESENTATION	ARTICLE III	ADDED APRIL 2001 AMENDED APRIL 2006



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

1.1 ROLES AND AUTHORITIES

Recognized community planning groups have been formed by the City Council to advise the City on land use issues that are both policy-based and are the implementation of adopted land use policies. While the planning groups are officially recognized by the City, and act as an advisory organization representing the community to the City on land use matters, the planning groups are considered private organizations. A planning group that operates in violation of governing policies can have its official recognition removed by the City Council and a new recognized planning group can be formed by the City Council.

Planning Department staff is provided as a liaison to the planning groups in accordance with Council Policy 600-24. The Planning Department staff liaison can interface with other City departments, elected officials, and other agencies on matters pertaining to planning group functions. The Planning Department consults with the City Attorney regarding legal issues that cannot be resolved by a planning group working with the Planning Department.

Planning groups should familiarize themselves with the council policies that address planning group formation and organization, planning group bylaws, and these Administrative Guidelines to ensure effective planning group operations. Council policies that relate to the establishment and organization of planning groups include Council Policy 600-5, 600-9, and 600-24. If there are specific instances when adopted bylaws do not address certain issues, Robert's Rules of Order Newly Revised should be consulted to provide further guidance. Planning Department staff may also provide guidance, although the responsibility for using, interpreting and enforcing planning group bylaws and consistency with Council Policy 600-24 belongs primarily to the planning group members.

Bylaws of recognized community planning groups identify Council Policy 600-24 as the Policy authorizing the community organization to be recognized by the City to provide land use advice, and that the Policy, the Administrative Guidelines, adopted planning group bylaws, and the provisions of the Indemnification Ordinance O-17086 NS govern the planning groups' operations and responsibilities.

1.2 ENCOURAGING COMMUNITY PARTICIPATION

It is essential to the success of recognized community planning groups that broad community participation be encouraged. To this end, Council Policy 600-24 requires that planning groups periodically seek community-wide understanding of, and participation in, the planning and implementation process. Planning groups must provide participation during review of specific development proposals to property owners, residents, and business establishments affected by the proposed project. Any interested member of the public should be allowed to address the proposal, though time limits and the method of participation can be defined by the planning group.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Although interest in the planning group process tends to run highest in areas with controversial developments or neighborhood issues, all planning groups can generate interest and participation by encouraging lively and well-run meetings, and by actively noticing each monthly meeting and the annual election event. Other appropriate means of ensuring participation include networking with other active local and regional planning groups and by getting involved in local community organizing efforts. Care should be taken to avoid a violation of the provisions of Council Policy 600-24 regarding political activity.

Community Outreach

Council Policy 600-24 also requires a good faith effort on the part of the recognized community planning groups to publicize regularly scheduled meetings and annual elections in neighborhood newspapers and by other available means. Usually this includes posting agendas and election notices in public locations, such as local branch libraries, recreation centers, community kiosks or bulletin boards. Many planning groups have developed their own websites upon which election information can be placed. Also, community newspapers carry articles about the planning groups' activities throughout the year, and publicize the planning groups' elections.

With the expanded use of electronic communications, the Planning Department is able to use means other than newspapers to engage citizens in the possibility of becoming planning group members. Announcements about planning group elections and planning group meetings are run on the City's TV24 television station. Electronic mail about planning groups can be sent to individuals on the Department's list to receive information about planning-based meetings and events. These efforts are intended to supplement the outreach efforts made by planning groups themselves.

Diverse Representation

An important aspect of ensuring broad community participation includes the Council Policy 600-24 requirement that recognized community planning group membership be open to all property owners, residents, and local business persons [Article III, Section 3] and that planning group membership shall not discriminate based on race, color, sex, age, creed, national origin, sexual orientation, or physical or mental disability [Article II, Section 4].

The 2005 amendment to Council Policy 600-24, Article III, Section 3, adds descriptions of the three broad categories of representation listed above to provide a broad interpretation of these interests. The section also discusses planning groups being able to further define eligibility. Therefore, based on the presence of those interests in a particular community, the planning group may use these descriptions, broaden them, or narrow them. If narrowed, the purposes should be for clarification rather than exclusion of legitimate interests. It should be noted that about half of the planning groups use the listing of categories as they are in the Policy while the other half adds categories, details some categories [usually business or property owner categories], or distributes planning group seats based on geographic distribution.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Council Policy 600-24 also requires that, “to the extent possible, [planning groups should] be representative of the various geographic sections of the community and diversified community interests.” As a result, many planning groups are formed based upon geographic districts, although this is not required. Other methods of ensuring diversified community interests include reserving specified numbers of seats for specific organizations (homeowners, renters, businesses) or specific local interests (districts, park and school boards, business associations). All such approaches, embodied in particular planning group bylaws, are subject to approval by both the Planning Director and the City Attorney. If not approved at this level, the City Council can review and approve proposed changes.

For those recognized community planning groups that identify specific seats to be held by business representatives within the community, those seats must be reserved for the businesses that are found in commercial or industrial areas of communities. The growing number of individuals working from their homes is raising the level of interest in planning activities in a community and may encourage more business people working from home to run for seats on planning groups. Planning groups have expressed an interest in allowing individuals with Home Occupation Permits to fill seats that their bylaws identify as “business” seats. This is not consistent with the intent of the business seat category in Council Policy 600-24, which is to include and encourage participation from business representatives with non-residential business addresses. This does not preclude a planning group from designating a seat as a “home occupation” seat while retaining the representative number of non-residential business seats.

When a planning group finds that there needs to be an adjustment of representation on the planning group due to changing community composition in developing communities, or changing community interests, the bylaws can be amended to reflect the community demographics. The categories, number of seats, and timing of the changes can depend on a number of factors, such as the number of built housing units, amount of commercial development, industrial development, and other interests in the community. The Planning Department should be contacted to assist the planning group in determining how to achieve planning group representation that is balanced and diverse if the planning group is uncertain about adjusting representation categories.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

2.0 Recognized Community Planning Group Composition

SECTION	TITLE	COUNCIL POLICY SECTION	HISTORY
2.1	CATEGORIES OF MEMBERSHIP [FORMERLY ELECTED MEMBERS AND GENERAL MEMBERS] <ul style="list-style-type: none"> • ELECTED PLANNING GROUP MEMBERS • APPOINTED MEMBERS • COMMUNITY AT LARGE • GENERAL MEMBERSHIP 	ARTICLE III, SECTION 3 ARTICLE V, SECTION 2 ARTICLE VI, SECTION 3 ARTICLE VIII, SECTION 1	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
2.2	TERM LIMITATIONS [FORMERLY COMMUNITY PLANNING COMMITTEE TERM LIMITATIONS] <ul style="list-style-type: none"> • BASIC TERM • CONTINUOUS SERVICE BEYOND BASIC TERM 	ARTICLE III, SECTION 4	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
2.3	SUBCOMMITTEES	ARTICLE VI, SECTION 2	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

2.1 CATEGORIES OF MEMBERSHIP

Elected Planning Group Members

Council Policy 600-24 discusses roles and responsibilities of recognized community planning group members. The Policy refers exclusively to elected members of planning groups, i.e., the 12-20 members identified in the Policy in Article III, Section 1. The provisions in the Policy govern the actions of those members. The Policy calls for those elected members to be the officers of planning groups and to be the representatives to the Community Planners Committee. However, because a number of planning groups utilize a “general membership” category, the Administrative Guidelines also address General Membership (below).

It should be clarified that the “12-20” members allowed in Council Policy 600-24 provides a range within which a planning group can select a particular number of members to be identified in its adopted bylaws. This number of members is generally acknowledged as a range within which this type of assembly can effectively operate and manage its business. This number varies by community, however, selection of a number of members is critical to an effective election process where seats can be allocated and terms can be staggered – ensuring continuity of membership while incorporating new members into a planning group.

Appointed Members

Recognized community planning groups may find that a community interest may be represented by a member filling a seat either through an appointment by the planning group or by the entity that the seat represents. If planning groups find the need to identify an appointed seat, the reason for the appointed seat should be clearly defined in the bylaws. Additionally, the responsibilities and level of participation of that seat, such as voting, participation in meetings and subcommittees, and terms of service, should also be defined.

If a planning group anticipates that the appointed seat should be converted to another category or to an elected seat at a certain time due to changing needs for community representation, the bylaws should state the procedures and criteria when and how such a conversion may occur.

Community at Large

Council Policy 600-24 presumes that any eligible member of a community may participate in recognized community planning group processes, including elections of new members. Many planning groups rely on this general provision to govern participation in elections. For planning groups that use this approach, it is still necessary to be able to determine the eligibility of community members to ensure that an individual votes only one time in an election. It is suggested that planning groups adopt clear bylaw provisions or procedures for qualifying voters. See Section **5.1 ELECTION PROCEDURES**.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

General Membership

Since the adoption of Council Policy 600-24, many recognized community planning groups have developed “general membership” categories of members. Often when a planning group establishes a general membership category, an individual must meet certain criteria demonstrating a desire over a period of time to participate in the activities of the planning group in order to be able to vote for candidates in an election. If a planning group has not established a general membership, an “eligible member of the community” per the Policy can appear at an election, present proof of being an eligible member of the community, and vote for planning group candidates in an election.

Establishing a general membership can be consistent with Council Policy 600-24 **if it does not act to limit participation** by interested community members in attending or participating in meetings, or in voting in planning group elections. For example, a planning group with a general membership of 15-25 members is not consistent with the Policy. Even 50 may not be enough general members if the community’s interest in the planning group is high. A planning group’s election may be challenged if general membership requirements are so strict as to exclude good faith efforts by community members to participate in meetings or elections.

It is important to note, however, that general members of a planning group are not acknowledged in Council Policy 600-24 and are not extended the same opportunities for indemnification as elected members.

Since general memberships will vary by community, any planning group provisions addressing general members’ opportunities for participation in the planning group, such as voting for elected members, speaking at meetings, participating in subcommittees, participating in regular meetings, how their input is handled by the planning group, and participation in elections, should be included in the planning group’s bylaws, or in procedures referenced in the bylaws. Planning group bylaws should define any categories of general membership and eligibility to qualify as general members. Any responsibilities for recordkeeping associated with general membership should be stated in the bylaws or standard operating procedures referenced in adopted bylaws.

In summary, a planning group’s bylaws should clearly discuss the role of any category of membership in a planning group’s adopted and approved bylaws for issue areas such as elections and voting.

A Sample Registration for Group Membership Application, which can be used to keep an accounting of “eligible community members,” is Attachment 1 to these Guidelines.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

2.2 TERM LIMITATIONS

Basic Term

The basic term limitation requirements in Council Policy 600-24 allow members to serve for up to eight or nine years, depending on the length of their fixed terms. Member terms may be two, three, or four years in length. Members serving for two or four years are limited to a total of eight consecutive years on a recognized community planning group, while members serving three year terms are limited to nine consecutive years regardless of the number of different elected planning group seats a member has held during those years.

Members who have reached the end of their allowed number of terms and years may, after a one year break in service, again serve on a planning group. Breaks in service of less than one year cause subsequent time to count as continuous time against the total number of years of service limits, although the time not in service may be subtracted.

Continuous Service Beyond Basic Term

Members who have served more than eight or nine years may serve in excess of the term limits without a break in service, subject to the following:

1. A good faith effort has to be made by the planning group to develop a list of potential new candidates that exceeds in number the seats that are open for election.
2. If a candidate with service beyond eight or nine years is to appear on the ballot with new candidates, the ballot must identify that the candidate exceeds the planning group's allowable term limits and that the candidate must receive a two-thirds vote to be elected. It should also state that this candidate will not be seated if there are a sufficient number of new candidates to fill the vacant seats, i.e., a new candidate receives priority over candidates exceeding the term limit.
3. Only after open seats are filled with new members may candidates with service beyond eight or nine years, who received a two-thirds vote, be considered for remaining open seats, with the highest vote recipient exceeding the eight or nine year limitation taking the first open seat that they qualify for, etc.
4. No more than 25 percent of the total planning group membership can consist of members serving in excess of the specified terms of service. At the time of the election, if 25 percent of the planning group is made up of members serving in excess of the specified terms of service, the candidate with service beyond eight or nine years may not even be considered.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

If the planning group has specific categories of elected seats, and seats within particular categories remain open after an election, the planning group should have an adopted procedure or bylaw provision which prescribes how those remaining seats may be filled, i.e., with a new candidate from another category or with a candidate with service beyond eight or nine years receiving two-thirds vote within that category.

If a vacancy occurs at mid-term, the planning group should follow the procedures for filling vacancies prescribed in adopted bylaws. A candidate with service beyond eight or nine years may be nominated to fill the vacancy only if there are no other nominations. For such a candidate to be elected, a two-thirds vote is required and the 25 percent limitation is met with the seating of the candidate.

Election by a two-thirds majority to a term beyond eight or nine years should be considered “time on” for the purposes of counting continuous service. If an additional term is subsequently sought without a break in service, a two-thirds majority vote is again required.

The term limitation provisions also require that no planning group members may serve as officers of the planning group for longer than eight or nine consecutive years regardless of the number of different officer positions held and even if elected to additional terms by a two-thirds majority. In general, unless there is a severe problem with participation in planning groups, members and officers should try to provide for a “changing of the guard” on a regular basis.

2.3 SUBCOMMITTEES

It is up to each recognized community planning group to decide whether or not it wants to establish subcommittees. Subcommittees can be very useful in helping a planning group carry out its responsibility of advising the City in the preparation and implementation of a community plan. Subcommittees allow for increased participation in the community planning process. They have also proven to shorten the meeting of the full planning group by developing recommendations upon which the planning group can vote.

The majority of planning groups in the City have active subcommittees. The type and composition of the subcommittees varies. Many of these planning groups have some sort of subcommittee that reviews development proposals.

Subcommittees should adhere to all of the other provisions of Council Policy 600-24 that might apply and the composition and operating procedures of subcommittees should be included in a planning group's bylaws.

The composition or membership of a subcommittee may be decided upon by each recognized community planning group. Council Policy 600-24 directs that each planning group's bylaws contain procedures for establishment of subcommittees, including the method of appointment of the subcommittee chair and members. There are no restrictions on the size of the subcommittee,



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

or on the number of elected versus non-elected (or general) members, or members of the public. It is suggested that elected members of the full planning group serve as the chairpersons of the subcommittees. While the number of members of a subcommittee should reflect the subcommittee's workload or tasks, it has been found more effective for a subcommittee to be less than a quorum of the elected members of the planning group. Any member of a subcommittee that is not an elected planning group member is neither indemnified nor legally protected by the City's indemnification ordinance. See Section **4.2 INDEMNIFICATION ORDINANCE**.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

3.0 Conduct of Recognized Community Planning Group Meetings

SECTION	TITLE	COUNCIL POLICY SECTION	HISTORY
3.1	OPEN MEETINGS [MOVED FROM ATTENDANCE AND QUORUMS]	ARTICLE VI, SECTION 10	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
3.2	NOTIFICATION OF MEETINGS <ul style="list-style-type: none"> • REGULAR MEETINGS • SPECIAL MEETINGS • EMERGENCY MEETINGS • SUBCOMMITTEE MEETINGS 	ARTICLE VIII, SECTION 1(3)	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
3.3	ATTENDANCE AND QUORUMS <ul style="list-style-type: none"> • ATTENDANCE • QUORUMS 	ARTICLE VI, SECTION 2	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
3.4	PARLIAMENTARY PROCEDURES AND VOTING <ul style="list-style-type: none"> • ROBERT’S RULES OF ORDER NEWLY REVISED • THE AGENDA • DEBATES ON MOTIONS • VOTING OBLIGATIONS • POINT OF ORDER • OFFICIAL POSITIONS OF PLANNING GROUPS • CALCULATING A VOTE • VOTING RIGHTS OF THE CHAIR • MULTIPLE VOTES ON PROJECTS OR POLICIES • MINUTES 	ARTICLE VI, SECTIONS 2,3 ARTICLE VIII, SECTION 1	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
3.5	DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS <ul style="list-style-type: none"> • RECUSALS AND DIRECT ECONOMIC INTEREST • HOW TO EVALUATE THE PRESENCE OF DIRECT ECONOMIC INTEREST • ABSTENTIONS 	ARTICLE VI, SECTION 7	ADOPTED JULY 1991 AMENDED APRIL 2001 [RENUMBERED] AMENDED APRIL 2006



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

3.1 OPEN MEETINGS

All meetings of recognized community planning groups, including subcommittees or “executive committees” are required to be open to the public. Given the stated roles and responsibilities of planning groups, there is no justification for an executive session, or closed session, of a planning group since a responsibility of a planning group is to lead the community in public discussion and involve the community at large.

Electronic communication should not be used by a planning group, or by a planning group member, as a method for conducting business of the planning group. Conducting business includes sharing positions on project or other action items coming before the planning group or taking an informal poll of planning group members’ positions on a business item, or soliciting support for, or opposition to, an upcoming planning group action item. Conducting business is differentiated from distributing agendas, minutes, and general information for planning group meetings.

It is the planning group’s responsibility to make all meeting locations, including subcommittee meetings, accessible to all individuals, including those with disabilities.

In addition, it is highly recommended that, at the beginning of any meeting, the chair introduce the planning group members and explain the planning group’s planning advisory role to the City. Each member may also introduce themselves and the role they fill on the planning group [e.g., a resident seat, a business seat, etc.]. Planning group members should sit together at the front of the room so the audience can clearly identify them as the elected, voting members of the planning group. To help audience members become familiar with the elected representatives of the planning group, the Planning Department, upon request, will prepare name plate “tents” for use by the planning group.

It has been found to be extremely beneficial to the planning group and to the members of the audience for the Chair to introduce each agenda item with an identification of the agenda number, the subject of the item, indicate whether it is an information item or action item, indicate how the public will be able to participate, and ask who among the planning group members are eligible to participate in the item [i.e., ask for recusals and abstentions]. This introduction gives everyone in attendance a clear understanding of the planning group’s intent toward the agenda item, and allows the chair to manage the agenda item to its conclusion.

Subcommittees of recognized community planning groups should adhere to the provisions of Council Policy 600-24. All subcommittee meetings must be open to the public. In order to make sure that subcommittees are as open as possible, meetings should be held in locations where anyone interested in attending the meeting may enter the building and there will be room to accommodate anyone who wishes to attend. Meeting locations should be accessible to all individuals, including those with disabilities.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

3.2 NOTIFICATION OF MEETINGS

In the spirit of open meetings and community participation, all meetings of a planning group must be open to other planning group members and to the public. Below, this section addresses various types of meetings considered to be within the scope of Council Policy 600-24. Serial meetings, meaning a series of meetings among less than a majority of elected planning group members, to develop a planning group position on an issue or project are not allowed.

Planning groups should establish noticing procedures based upon the guidelines discussed in this section, include them with other adopted procedures, and be consistent in their application. Responsibility for notification of affected parties should be delegated to planning group members or subcommittees who accept the responsibilities involved and understand the adopted procedures. Established procedures consistently applied can help create an atmosphere in which local planning decisions are respected and adhered to. It should be noted that legal notices mailed to property owners by the City include a statement about the regular planning group meeting time, date and place of that community's recognized planning group.

Regular Meetings

An important duty of recognized community planning groups is to inform project applicants, neighboring residents and business establishments of upcoming meetings during which proposed projects will be reviewed or voted upon by the planning group. It is suggested that subcommittee meetings be announced at the full planning group's monthly meeting and be included in mailed or posted meeting notices. All meetings during which specific development projects will be discussed or voted on require notification to the affected parties.

Adequate notice is not defined by Council Policy 600-24, and planning groups are not subject to state-established noticing requirements since all actions taken are advisory in nature. However, to the extent possible, planning groups should provide consistent notification to affected parties in a timely and effective manner. In general, adequate notice is considered the Notice of Application distributed by the City and planning group agendas posted to the City's website. Draft agendas should be received by the Planning Department at least seven days prior to the meeting date to allow for posting of the agenda to the City's website. All planning groups' regular meeting agendas will be posted, even for those planning groups that mail out their own agendas.

Suggested guidelines for notification include:

- Applicants for development projects should receive notice of pending planning group meetings during which their projects will be voted on at least 72 hours prior to the scheduled meeting.
- Proposed development projects which have a potential for affecting larger areas of the



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

community or whose significance is of a regional nature should be noticed more widely, if at all possible. If time is available, the meeting at which such projects are scheduled to be voted on should be noticed in one of the local community papers and/or on community bulletin boards or in public library branches.

No direct notice to affected property owners or business establishments in the vicinity of a proposed development project is required to be sent by the planning group. The City's Notice of Application will be provided to such property owners with direction to contact the planning group chair for information on the future planning group meeting at which the project will be considered. The planning group should do its best to keep interested parties informed once a request has been made.

It is a mutual responsibility between the planning group and the project applicant for projects to be presented by the applicant and that public input be taken by the planning group prior to a planning group vote on the project, and the subsequent forwarding of that vote to the City staff. The planning group's organization should support timely notice to applicants, the opportunity to work with a subcommittee on complex project review issues, and the opportunity to present the project without interruption from the planning group or the audience. The project applicant's responsibility is to contact the planning group as advised by the Development Services Department, work cooperatively with the planning group to answer questions and resolve issues as feasible, and to attend scheduled meetings of the planning group and its subcommittee(s). If difficulties arise in carrying out any of the above-mentioned responsibilities, either the project applicant or the planning group can contact the assigned Development Project Manager or the assigned Community Planner for assistance.

Special Meetings

Special meetings are those meetings that are scheduled at times other than regularly held meetings. Special meetings typically are held to accommodate topics or individuals not able to be presented or to attend a regular meeting. Noticing for special meetings should be the same as noticing for regular meetings. All adopted quorum and voting requirements apply. Bylaws should include provisions to allow planning groups to call for a special meeting, although a simple majority of a planning group can vote to notice and hold a special meeting.

Emergency Meetings

Emergency meetings are those meetings that are held with maximum possible notice but at least a 24-hour notice. They are typically held due to pending items that are determined by the chair or the officers of a recognized community planning group to be of sufficient importance and with time constraints that do not allow the item to be scheduled at the next regular planning group meeting. The calling of an emergency meeting must disclose the nature of the emergency for which the meeting is being called. At the emergency meeting, a quorum of the planning group



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

members must be present to conduct the business and to take any vote. Any vote taken at an emergency meeting should be ratified at the next regular planning group meeting.

Subcommittee Meetings

Subcommittee meetings should follow all noticing and access requirements that are followed for regular meetings of recognized community planning groups since these meetings are typically held at the same time and location every month. Even though a subcommittee may not constitute a quorum of a planning group, it should be noticed and open to the public, and should accept testimony about development projects that will be forwarded to the full planning group. The fully-developed discussions that occur at subcommittees necessitate that all appropriate parties be notified of the subcommittee meeting in a timely manner.

3.3 ATTENDANCE AND QUORUMS

Attendance

Regular attendance by elected members of a recognized community planning group at scheduled recognized community planning group meetings is required by Council Policy 600-24. Because of this, the Policy requires that a planning group seat be vacated if a member fails to attend three consecutive meetings or four meetings within the 12-month period of April through March each year.

A record of attendance, usually included in the monthly planning group minutes, is required to be filed with the Planning Department (contact your community planner). This is required to be filed within fourteen days following approval of the planning group minutes. In addition, planning group resolutions on specific projects should include the full planning group's vote on the project. Planning groups should also vote to approve meeting minutes at the following scheduled meeting, so that, for example, January's meeting minutes should be voted upon during the February meeting and forwarded to the Planning Department within 14 days of the February meeting.

Quorums

A quorum of a recognized community planning group is a majority of non-vacant seats of that planning group. Council Policy 600-24 requires that a quorum be present whenever a planning group wishes to conduct business such as voting on a project or taking other actions. A planning group member who must recuse on an item does not count towards meeting a quorum for that item. Conversely, a member who abstains does count towards meeting a quorum. See Section **3.5 DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS** for a discussion of abstentions and recusals.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Before calling a meeting to order, the chair should be sure a quorum is present. If a quorum cannot be obtained, the chair should call the meeting to order, announce the absence of a quorum and entertain a motion for the limited purposes described below.

In the absence of a quorum, any business transacted is void. In such a case, however, it is the business that is void, not the meeting. If a planning group's rules require that the meeting be convened, the absence of a quorum in no way detracts from the fact that the planning group complied with its bylaws and held the meeting, even though it had to adjourn immediately. In this instance, it is the business that would be prohibited, not the meeting. During a meeting in which there is not a quorum present, the planning group may not take action on an item but it can discuss non-action items and receive information on general topics.

The only actions that can be taken in the absence of a quorum are to fix the time in which to adjourn, recess, or take measures to obtain a quorum (for example, contacting members during a recess and asking them to attend). The prohibition against transacting business in the absence of a quorum cannot be waived even by unanimous consent.

If a quorum of a planning group is present at the beginning of a meeting, but members leave the meeting temporarily, the continued presence of a quorum is presumed. Members intentionally leaving a meeting to cause a lack of a quorum jeopardize the operations and integrity of the planning group. If the chair or any member notice the apparent absence of a quorum, a point of order should be raised to that effect. At that time, the meeting should be stopped in order for the chair to assess whether a quorum is expected to return. If not, the meeting should be adjourned unless there are any non-action items remaining that the planning group wishes to discuss.

The chair should confirm the presence of quorum prior to calling for a vote on any action. If a member questions the presence of a quorum, it must be done at the time a vote on a motion is to be taken. A member may not at some later time question the validity of an action on the grounds that a quorum was not present when the vote was taken. It is the duty of elected members to attend planning group meetings, and to participate according to the roles and responsibilities of a planning group member as authorized in Council Policy 600-24, adopted bylaws and these Administrative Guidelines. Failure to act in good faith in fulfilling this duty by intentionally leaving meetings to lose a quorum jeopardizes the planning group operations.

If a meeting has to be adjourned due to a lack of a quorum, either before it conducts any business or part way through the meeting, a planning group may call a special meeting to complete the business of the meeting, or the business trails to the next regularly scheduled and noticed meeting of the planning group.

If a planning group loses a quorum due to recusals, and the agenda item is time sensitive and must be heard at that meeting, it may be heard and the planning group should inform the City on the project review recommendation form or letter that the vote does not reflect a quorum due to recusals. If the agenda item is not time sensitive then the item should be continued to a later



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

meeting when a quorum can be convened. See Section **3.5 DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS** for a discussion of recusals.

Periodically, planning groups have trouble retaining member interest. The reasons for declining interest can be varied. If your planning group begins to experience problems maintaining a quorum, it could seriously affect the planning group's ability to operate effectively. Upon recognition of this sort of problem, it may be useful for the planning group chair to contact the Planning Department to consider alternative solutions. A planning group whose membership is 20 members may request to amend its bylaws to require fewer members. The minimum number of members allowed is 12. The number of members is not a variable number, it is a specific number between 12 and 20 that the planning group should select and adopt into their bylaws to meet the needs of the community.

3.4 PARLIAMENTARY PROCEDURE AND VOTING

Robert's Rules of Order Newly Revised

Council Policy 600-24 states that all meetings and subcommittee meetings of recognized community planning groups shall be conducted in accordance with except as otherwise provided for in the Policy, the Administrative Guidelines, or in planning group bylaws. Planning groups are encouraged to develop procedures that meet the needs of the community. Robert's Rules of Order Newly Revised should be utilized only when the planning group determines that a community-specific procedure would not be more beneficial to the planning group's operation, or when the provision of Robert's Rules of Order Newly Revised is so common or straightforward that it need not be repeated in the bylaws.

The Agenda

Usually the chair or another designated person is charged with the responsibility of preparing the agenda. The person preparing the agenda can, of course, seek assistance with the task. The agenda consists of the items of business to be discussed at a meeting and should clearly identify information items separate from action items. An item that should be on every agenda and early on the agenda should be Public Comment on non-agenda items. This is consistent with the recognized community planning group's and Council Policy 600-24's goals to invite and encourage broad community participation in planning group activities. Planning groups may place time limits for each speaker during public comment in order to allow participation of individuals who want to speak while keeping the meeting running efficiently.

Once an agenda for a regular meeting has been distributed it should not be revised prior to the meeting unless the revised agenda can be distributed more than 72 hours prior to the scheduled meeting. If the need to revise occurs within 72 hours of the meeting, the agenda should be revised as discussed below.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

As a matter of practice, planning groups should consider adoption of the agenda as the first order of business at a meeting because until the planning group adopts the proposed agenda, it is just that, merely a proposal. When a motion to adopt the agenda is made, the motion can delete items from or rearrange the order of items on the proposed agenda.

Adding items to the agenda at the meeting should not be a regular practice of the planning group. The published agenda should give the public a clear indication of the planning group's business at the meeting. If, due to a unique opportunity or an unexpected time limitation to vote on a development project, the chair determines that an item should be added to an agenda, the addition must be voted upon by the full planning group and must receive a two-thirds vote to be added. Also, some attempt to notify the public should be made. The requirement to notify an applicant about the discussion of his/her project is still required in accordance with Article VI, Section 3, of Council Policy 600-24.

Once the agenda has been adopted, the business items on it are the property of the planning group, not of anyone who submitted the items. Any change to the agenda, once it has been adopted, can be made only by motion of the planning group and requires at least a two-thirds majority to pass.

Once the agenda has been adopted, each item of business on the agenda will come before the meeting unless: (1) no one moves a motion, (2) no one objects to withdrawal suggested by the sponsoring individual or group, (3) a motion to delete an item from the agenda is made and passed, or (4) the meeting runs out of time before the item can be discussed.

A section titled "Consent Agenda" is also encouraged to be added to the agenda. A consent agenda is a practice by which some planning group action items are organized apart from the rest of the agenda and approved in a single motion. This includes all of the proposals that require formal planning group approval but there is no need for planning group discussion before taking a vote because all issues have been fully discussed by a subcommittee and all planning group members understand the position recommended by the subcommittee. Items may be on a consent agenda only if all planning group members agree; if even one member requests that a specific item be removed, it must be placed on the regular agenda under action items. Any member of the public may also request that a consent agenda item be removed and discussed.

Consent agendas should be used when there are a number of items on which the planning group needs to vote. Consent agendas are used to save planning group meeting time and to help ensure that planning group meetings focus on substantive topics. Through the "bundling" process, the entire set of items of business can be voted on in one action versus taking the time to vote on each individual item. It is common practice among many planning groups to place non-controversial development proposals on a consent agenda. The consent agenda usually appears near the beginning of the regular meeting. This allows any item removed from the consent agenda to be placed onto the overall agenda for discussion and action later in the meeting.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Complete information must be provided in advance of the meeting to all planning group members, so that each knows what is being proposed and has the opportunity to consider whether the item warrants discussion. Consent agendas are not to be used to hide action that will be controversial - to do so breaches the trust and credibility of the planning group and the public as well as undermines the value of this practice.

The public should have the opportunity to testify on items on the agenda during the time the item is discussed. The planning group should allow public input and should limit the time for each speaker to ensure equitable public participation.

Debates on Motions

This subsection discusses Robert's Rules of Order Newly Revised; however, it contains some specific direction about when to NOT use Robert's Rules of Order Newly Revised but instead to use this discussion as guidance to develop or amend recognized community planning group bylaws. Individual planning groups are encouraged to adopt procedures for discussing items such as time limits for planning group discussion, sequencing of public input, and timing of motions.

Business is accomplished in meetings by means of debating motions. The word "motion" refers to a formal proposal by two members (the mover and seconder) that the planning group take certain action. Robert's Rules of Order Newly Revised directs that discussion on an item be started by placing a motion on the floor. However, the types of items that planning groups consider often benefit from having discussion on an item prior to making a motion. A pre-motion discussion assists in looking at all the information being presented, allowing the public to speak to all the information, and reviewing any subcommittee recommendations or conditions. There is also benefit in that a clearer, better worded and fully-developed motion can be proposed.

Normally, a planning group member may speak only once on the same question, except for the mover of the main motion, who has the privilege of "closing" the debate (that is, of speaking last). If an important part of a planning group member's speech has been misinterpreted by a later speaker, it is in order for the planning group member to speak again to clarify the point, but no new material should be introduced. If two or more people want to speak at the same time, the chair should call first upon the one who has not yet spoken. Planning groups may want to adopt rules limiting the time a member may speak in any one debate (for example, five minutes). The mover of a motion may not speak against his or her own motion, although the mover may vote against it. The mover need not speak at all, but when speaking, it must be in favor of the motion. If, during the debate, the mover changes his or her mind, he or she can also inform the planning group of the fact by asking the planning group's permission to withdraw the motion.

Voting Obligations

All votes must occur at a noticed, open meeting of a recognized community planning group. Members must be present to cast a vote, and no proxy voting is permitted.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

When attending meetings, planning group members must participate in a vote unless they must recuse or abstain – see Section **3.5 DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS**. As elected members of planning groups, it is their responsibility to vote and make recommendations on items which come before the planning group as part of the planning group’s official duties. If a member intentionally does not vote on projects, it can jeopardize the credibility of the member to represent the community and the credibility and effective operation of the full planning group, especially if the member participates in the discussion of the item, then does not vote. A continued pattern of non-voting may establish a basis for the planning group to censure or discipline the member.

Point of Order

Any member of a recognized community planning group is responsible for raising a point of order at the meeting if they view an action by the planning group to be in conflict with the planning group bylaws. At that time a review of the bylaws may be warranted to determine the appropriate action. Planning group members should not hesitate to raise a point of order as soon as they believe a conflict has arisen. Waiting until later to raise it, or contacting the Planning Department after the fact, greatly reduces the likelihood that a procedural problem can easily be rectified.

A planning group’s bylaws may allow the chair to recognize audience members who indicate they want to raise a point of order. As a rule, however, the ability to raise a point of order is reserved for planning group members.

Official Positions of Planning Groups

Council Policy 600-24 states that, “the official positions and opinions of the recognized community planning group shall not be established or determined by any organization other than the planning group, nor by any individual member of the planning group other than one authorized to do so by the planning group.” Members are advised to not identify themselves as members of a recognized community planning group when expressing positions on matters either not voted upon by, or outside the scope of duties of, planning groups. Planning groups may include rules of standing order or operating procedures to guide the roles and responsibilities of planning group members when representing the planning group positions to the City and/or to the public. The actions of a planning group should be approved by a vote of the planning group; however, there may be certain times where the action of the chair may necessitate timely action. In the case of the chair needing to take unauthorized but appropriate action [such as filing a timely appeal on a project that the planning group has voted against during a regular meeting following proper procedures], the chair should report on the action at the next meeting of the planning group. In some cases a confirmation vote may be appropriate as a follow-up action.

Any recommendation made by a subcommittee must be acted upon by the recognized community planning group to be recorded as an official vote of the planning group (even if the



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

composition of the subcommittee includes a quorum of the planning group). Council Policy 600-24 specifically states in Article I, Section 4, that: “the official positions and opinions of the planning group shall not be established or determined by any organization other than the planning group.” Therefore, the City will not recognize subcommittee recommendations if presented directly to the City without being voted upon by the planning group. The full vote of the elected members of the planning group is especially important when a subcommittee includes members that are not elected planning group members. It is acceptable for subcommittee recommendations to the full planning group be placed on the planning group’s agenda as consent items for action by the full voting board. Only the full planning group’s vote should be sent to the City, including votes taken regarding development projects.

Calculating a Vote

Most motions of a recognized community planning group are decided by a majority vote. A majority vote is half of the eligible voting members present plus one. For example, if a planning group consists of 16 members but only 12 are present and all are eligible to vote on an item, a majority vote would be seven.

There are situations when a member of a planning group should not vote on a matter before the planning group. See Section **3.5 DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS** for a discussion of recusals and abstentions. Basically, if a planning group member must recuse on an item, his/her presence at the meeting is not counted in calculating a majority vote. For example, if 18 members are present and four must recuse on an item, a majority vote would be eight. Similarly, abstentions are not included in the calculation of a majority vote.

Sometimes a majority vote either in favor or against an item is difficult to obtain. While only a majority vote will establish the “official” position of the planning group, the vote taken, whatever the outcome, should be submitted to the City as the final vote of the planning group. This can avoid continuances and rescheduling of an item in an attempt to achieve a majority vote either in support or in opposition. This final vote will be recorded as the vote of the planning group, and the position obtaining the most votes, because it is not a majority, will not be characterized as a planning group position in support or in opposition to a project.

To ensure your planning group’s vote is not misinterpreted, it is advisable to always include votes in favor, votes in opposition, and abstentions when forwarding to the City since those three categories all count as part of a vote. For example, again using a quorum of 18, when there are ten in favor, four opposed, and four **abstentions**, a vote of the planning group in favor of an issue would be shown as “10-4-4”. As stated above, recusals do not count toward a quorum or in the vote, so a vote with ten in favor, four opposed and four **recusals** would be shown as “10-4-0.”

Voting Rights of the Chair



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Participation of the chair in voting on action items is not discussed in Council Policy 600-24, therefore, it defers to Robert's Rules of Order Newly Revised. Given the nature of the business of recognized community planning groups, and the responsibility of elected members to participate in planning group business, chairs should be given the flexibility to participate in the planning group's voting, where appropriate and pursuant to the group's adopted bylaws.

Robert's Rules of Order Newly Revised state that if presiding officers are members of their planning groups and participate in ballot votes, they have the same voting rights as any other member. Generally, it is up to individual planning groups to determine if the chair of the group should participate in all votes, with the same rights as all other members. This should be specifically addressed in the group's bylaws.

In light of Robert's Rules of Order Newly Revised, planning groups should decide upon a model that is most effective in leading planning group discussions to successful votes: one where the chair both debates and votes; or, one where the chair debates but does not vote except to make or break a tie; or, one where the chair neither debates nor votes. It is important that whatever model a planning group chooses, it should be clearly understood by everyone, memorialized in the planning group bylaws or an adopted rule, and consistently followed.

Multiple Votes on Projects or Policies

Discussion items or development projects should be acted upon only one time by a recognized community planning group. This does not preclude presentations to the planning group during policy or project development in order to receive early input from the planning group and the community. The vote should occur during a timeframe where the planning group believes there has been an opportunity for public input, or when a development project is at a point where it is close to being finalized. The project should be at a point of certainty where the planning group vote could recommend approval or denial of the project, or recommend additional conditions, with some certainty that the project upon which the recommendation is based is the project that actually will be considered by the decision-maker [the Hearing Officer, the Planning Commission, or the City Council]. Planning groups often identify this point of certainty during the public review period of the environmental document. Other planning groups are prepared to take a position after the first or second Project Assessment Letter sent to the applicant. Until an assessment letter is sent, planning groups have little guidance from staff regarding the project's compliance with the City's policies or regulations.

However, it is recognized that items or projects may be considered over a period of time at multiple meetings. If a project has been substantially revised since a prior vote by the planning group, or a planning group received incorrect or additional information, at the planning group's discretion the revised project may be placed on the agenda for a new vote by the planning group rather than as a reconsideration of a prior vote [i.e., be placed on the agenda and voted on at that meeting with a simple majority vote rather than being voted on as a reconsideration, with a



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

decision at the following meeting]. It should be noted that a change in a planning group's membership composition is not a reason to reconsider and revote on a project.

Another example of a voting on an action item or development project a second time may occur when it is determined by a planning group that key stakeholders [such as an applicant, adjacent neighbors, City staff on policy items] were not given the opportunity to participate in the planning group's consideration of the action. Exclusion may have occurred during the meeting where an individual was present, or may be caused by lack of reasonable notice to interested parties. In this case, it is also reasonable for a planning group chair to determine that an item should be placed again on the agenda for action. This remedy should not be made available to individuals who should have known about, or who knowingly pass up, an opportunity to participate in a discussion item at a planning group meeting. This remedy does not apply where newly elected members seek to reverse a previously completed process of considering a development project or policy issue.

Bylaws or standard operating procedures may establish clear policies and procedures to guide the way planning groups will review and vote on projects, including timing of votes on projects after the environmental document is available for public review, notification to the community and applicants, and procedures for project review.

Minutes

Council Policy 600-24 states that, "a report of attendance and a copy of planning group approved minutes that include the votes taken on each matter acted upon for each meeting shall be retained by the group and shall be available for public information. Additionally, a copy of the approved minutes shall be submitted to the Planning Department within 14 days after approval by the planning group." Therefore, the Planning Department typically receives final minutes about 45 days after the subject meeting. It is important that planning groups provide minutes in a timely manner, as required by the Policy, for review by the public and for use in City business.

3.5 DIRECT ECONOMIC INTEREST, RECUSALS AND ABSTENTIONS

Individuals seek to become elected members of recognized community planning groups. They participate in, and vote on, matters of concern to the community. These matters are most typically development projects or land use-related policy votes. Therefore, members have an obligation to fully participate in significant issues before the planning group unless there are circumstances unique to individuals that prohibit their participation.

Unique situations are most likely ones that affect a member financially. In financially-identifiable situations, **recusal** is the appropriate action to be taken by the member. When situations are not clear about the financial effect on members, they might have to or want to **abstain**. Each of these situations is discussed below. In addition this section provides guidance



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

on how to try to determine financial effect, i.e., direct economic interest, outside of certain typical situations.

Since planning group members are not public officials, and planning groups are private organizations [See BACKGROUND in Council Policy 600-24], the Fair Political Practices Act and the state-mandated Conflict of Interest provisions are not applicable to planning groups. The use of the term “direct economic interest” in the council policy is intended to create an observance of fairness among planning group members and to direct the members to not participate in agenda items where they may be financially affected in some way by the recommendation from the planning group

The planning group chair should ask for any recusals or abstentions prior to starting the substantive discussion on any agenda item. Members should be ready to declare recusals prior to the item and take appropriate action to remove themselves from the discussion as a member of the planning group. While abstentions declared prior to the item allow a fairer discussion by the planning group, a cause for an abstention might arise during the discussion of an item. [See the in-depth discussion below.]

Direct Economic Interest and Recusals

The section of Council Policy 600-24 on direct economic interest was amended in July, 1990, to clarify the City Council's direction regarding financial effects of a recognized community planning group's decisions upon its members. A recusal is required when a member of a planning group has a direct economic interest in any project or matter being considered by the planning group. This would apply to members who are elected to represent specific categories of seats [like a “developer” seat] or are elected into a resident or unspecified seat but have the direct economic interests described below. The provision requires that a member who has a direct economic interest disclose that interest and refrain from discussing, voting or participating in any manner as a member of the planning group. It is, however, acceptable for the member to assist in the presentation of the project to the planning group, as long as it is clear that the member is acting as an applicant and not as a planning group member. This type of participation is acceptable for planning group members since they are not subject to the City's Ethics Ordinance. Appointed members of City boards or commissions would be precluded from this type of participation at their own board.

While some direct economic interests must be determined on a case-by-case basis, there are a number of situations that are common among planning groups and can be given as universal examples. These examples of recusals are listed by type of item.

Related to private development projects, members who have an identifiable financial interest in the project through: (1) being an owner or part owner of the property, business or development which is the subject of the application, or (2) being the project architect or engineer, or (3) being an employee [i.e., receiving compensation from a company] of a company which is part of the



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

project team in any capacity, or (4) being a former member of the team of THAT PARTICULAR PROJECT and received compensation within the past six months, or (5) being a compensated board member of a company which is part of the project team in any capacity, or (6) being a compensated board member or employee of a non-profit organization which is proposing a development project or is part of a project team in any capacity.

1. Related to ordinances or large scale planning policy issues: when a financial interest can be identified as affecting a planning group member in a manner differently from the public generally. [See below on How to Evaluate the Presence of Direct Economic Interest.]
2. Related to land use plans [as defined in the Land Development Code: (1) community plans, specific plans, precise plans, and the General Plan], or (2) during a City-initiated amendment or plan, or (3) if there is a land use change on a piece of property and the member is related to the project in a manner described in #1 above. In general, policies and recommendations in a land use plan will affect an individual member the way it affects other members and the public generally.
3. Public agency employees or board members: whether elected or appointed to a seat specified for a particular public agency representative, such as a university, an employee or board member from that agency should be presumed to be unable to benefit financially from a planning group decision involving the member's agency. The member may want to consider abstaining, on a case-by-case basis, if there is an appearance of a non-monetary conflict.

There may be other fact situations that arise and, as it is difficult to provide a definition that would include every eventuality, if there is a question whether or not it is a situation of direct economic interest, it is advisable to err on the side of caution (i.e., disclosure and non-participation). The member may also contact the Planning Department for assistance.

If a member has a direct economic interest conflict, the individual is required to recuse by disclosing the conflict to the planning group prior to the discussion of the item and removing him/herself from the planning group seating area and not participating in the discussion and vote. The presence of a recusing member in the room in which the meeting occurs does not count toward a quorum for the item that the member recuses on. The vote on the item will not reflect the recusing member at all.

It is expected that members of a planning group will act in good faith to fulfill their authorized duties. If a conflict is suspected, but it is not recognized by a member, a **two-thirds** vote of the planning group taken prior to the item being discussed can determine that a member should recuse from participating in an item based on the reasons previously addressed in this section. If the member refuses to recuse, the planning group should make it a part of the public record that a vote of the planning group considered the member ineligible to participate. The participation of the member will be deemed void and the vote of the member not counted toward the planning group recommendation.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

The refusal by a member to recuse from the planning group's discussion and vote may result in censure or discipline of the member by the planning group under adopted procedures. See Section **4.10 DISCIPLINE OR REMOVAL OF ELECTED MEMBERS OR VIOLATIONS BY A PLANNING GROUP**.

How to Evaluate the Presence of Direct Economic Interest

There may be situations that cannot be categorized into those discussed in the subsection above. If that is the case, a member of a recognized community planning group can use this section to come to better understand the need to recuse.

Even though actions of planning group members are governed by Council Policy 600-24, state law can be drawn upon to provide guidance to assist the member in determining whether they have a direct economic interest.

The general rule under the state regulations is that there is no disqualifying conflict of interest [in Council Policy 600-24 a direct economic interest] if the decision being made [and the process to get to that decision] affects the member's economic interest in a manner which is indistinguishable from the manner in which the decision will affect the public generally.

Relevant factors to help in the evaluation are:

1. Whether the decision affects a significant segment of the public. This is typically defined to mean 10 percent or more of the residents/homeowners, or 25 percent or more of similar business owners in the community.
2. Whether the decision will affect the member's economic interest in substantially the same manner as the significant segment identified above. The effects need not be identical for the member's economic interest to be "financially affected in substantially the same manner."
3. Whether, despite affecting the public in general, the decision "uniquely benefits" the member.
4. Whether the member was elected or appointed to fill a seat in a bylaws-specified category, e.g., a business seat, a developer seat, or a university seat. If the planning group's bylaws require (either expressly or impliedly) that a member represent particular interests in the community, the member qualifies for the "public generally" exception as long as their participation is not excluded by the situations specified above under **Recusals and Direct Economic Interest**. This seems most applicable where a community planning group member fills a designated seat, such as for developers, and is considered one of the "12-20 elected members" under the council policy, though it should be considered on a case by



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

case basis since members may have a direct economic interest when filling any seat [e.g., a property owner's representative or employee is on the planning group in a resident seat].

5. The financial effect from decisions establishing or adjusting rates, assessments, taxes or fees which are applied on a proportional basis on the member's economic interest, as well as on a significant segment of the other elected members of the planning group, is considered indistinguishable from the effect on the public generally.

Abstentions

An abstention should be used when a member of a recognized planning group feels that he or she should not participate in the vote of an item for a legitimate, non-financial reason. While it is the obligation of a planning group member to participate in, and vote on, matters before the planning group, it is also the planning group member's obligation to abstain when a legitimate reason warrants it. For any abstention, the member should state the reason for it. There are several identifiable situations that should result in an abstention: when a non-financial conflict exists and when there is a lack of information upon which to base a vote.

Examples are:

1. When there is a possibility that a conflict could exist: the member cannot determine that there is a financial connection to the project but suspects there may be one not known at the time of the planning group discussion.
2. When there is a perception of a conflict: the member knows that the project affects him/her as it does the public generally, but honestly thinks that others will disagree with that position.
3. When the member's property is in proximity to the subject property: the member may want to make personal comments about the project [i.e., make comments that go beyond what the role of a planning group member is in reviewing a project as it relates to the adopted community plan].
4. When the member has a personal relationship with the project applicant and believes the relationship will be perceived by other members as prejudicial toward the project.
5. When a member does not feel he or she has enough information to participate in the vote: this could occur when an item was heard at a prior planning group meeting and a member was not present. In this situation, the member should abstain at the beginning of the item. On occasion, after a presentation on a new item, a member may still not feel he or she has sufficient understanding of the item to vote on it. In this situation, the member participated in the discussion but then abstained when the vote is called. This should be a rare occurrence as each planning group member has the opportunity to ask questions during the discussion of the item or even seek a continuance to get the lacking information.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Basically, keep the following guidelines in mind for abstentions:

1. To the degree possible, abstentions should be declared prior to the start of an item. The member should declare the abstention and the reason for it, and not participate in the discussion.
2. If a planning group member determines that he/she will need to abstain in the middle of a discussion on an item, it should be announced immediately and that member should not participate any further.
3. It is inappropriate for a planning group member to participate in a planning group debate, ask questions, express opinions, perhaps even make the motion or the second, then abstain from voting.
4. If there are multiple abstentions due to a lack of information, the planning group should consider a continuance in order to receive additional information. There should be agreement among the planning group members that more information is necessary to allow the planning group to make an informed decision, and the group should be as specific as possible about what information would assist it in formulating its recommendation on the item.

Abstaining members, regardless of when they declare their abstention, ARE counted in the planning group quorum for that item.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

4.0 Responsibilities and Procedures

SECTION	TITLE	COUNCIL POLICY SECTION	HISTORY
4.1	COMMUNITY PLANNING GROUP ORIENTATION TRAINING	ARTICLE VI, SECTION 6	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
4.2	INDEMNIFICATION ORDINANCE	POLICY SECTION	ADDED APRIL 2006
4.3	ELECTED MEMBER ROSTERS [FORMERLY COMMITTEE ROSTERS]	ARTICLE III, SECTION 2 ARTICLE IV, SECTION 4	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
4.4	ANNUAL REPORTS	ARTICLE VI, SECTION 4	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
4.5	REPRESENTATIVES AT THE COMMUNITY PLANNERS COMMITTEE	ARTICLE VII, SECTION 5	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
4.6	DISTRIBUTION OF INFORMATION	ARTICLE VIII, SECTION 1	ADDED APRIL 2006
4.7	FILLING VACANCIES [FORMERLY VACANCIES] <ul style="list-style-type: none"> • GENERAL PROVISIONS • FILLING A SEAT WITH AN INDIVIDUAL FROM A DIFFERENT CATEGORY • VACANCY DUE TO INELIGIBILITY DURING A TERM 	ARTICLE IV, SECTIONS 1,2	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006
4.8	ENDORSEMENTS AND REPRESENTATIONS [FORMERLY ENDORSEMENTS]	ARTICLE II, SECTION 5	ADOPTED JULY 1991 AMENDED APRIL 2001 [RENUMBERED] AMENDED APRIL 2006
4.9	MAKING AMENDMENTS TO ADOPTED BYLAWS <ul style="list-style-type: none"> • GENERAL PROVISIONS • AMENDMENTS AFFECTING ELECTIONS 	POLICY SECTION	ADDED APRIL 2001 AMENDED APRIL 2006
4.10	DISCIPLINE OR REMOVAL OF ELECTED MEMBERS OR VIOLATIONS BY A GROUP INDIVIDUAL MEMBERS' ACTIONS <ul style="list-style-type: none"> • REMOVAL OF ELECTED PLANNING GROUP MEMBER BASED ON ELIGIBILITY • DISCIPLINE OR REMOVAL OF AN ELECTED PLANNING GROUP MEMBER VIOLATIONS BY AN ENTIRE PLANNING GROUP 	ARTICLE III, SECTIONS 5, 6,7	ADDED APRIL 2006
4.11	CODE OF CONDUCT	ARTICLE III, SECTION 6	ADDED APRIL 2006



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

4.1 COMMUNITY PLANNING GROUP ORIENTATION TRAINING

Members of recognized community planning groups may find the Council Policy 600-24 requirements of membership different than membership in other organizations they participate in. Operations under the Policy are based in principles of open meetings laws, however, the Policy, not election or open meetings laws, guide and govern the planning groups. In order to familiarize newly-elected planning group members with their roles and responsibilities under the Policy, members are required to attend a Community Orientation Workshop, and are encouraged to do so as early as possible in their term. Experience has shown that planning group members also benefit from basic land use planning training offered during some of the sessions.

Recognizing this value, Council Policy 600-24 requires each planning group member to attend an orientation training session put on by the Planning Department. The session focuses on the roles and responsibilities of elected members of planning groups. The training session discusses the legal indemnification ordinance adopted by the City Council regarding planning groups and how planning groups and their members would be eligible for protection under the ordinance. See Section **4.2 INDEMNIFICATION ORDINANCE**.

Typical topics covered in the extended training sessions offered several times per year include the basics of planning practice, an overview of the City's governmental structure, the role of the General Plan and Community Plans, the discretionary and ministerial permit process, the California Environmental Quality Act, the regulatory and enforcement functions of the City, and the rules and regulations governing the City's planning group process, as embodied in Council Policy 600-24. Four-hour orientations are scheduled typically in April or May, after the City receives roster information for the newly elected planning group members. Abbreviated sessions are held periodically throughout the year. The City continues to extend an invitation to elected members until they attend a session and City staff confirms their attendance.

It is the duty of the Chair of each individual planning group to notify the Planning Department of the election or appointment of new members. As noted above, indemnification is denied the new planning group member until the training session is attended. Newly elected members are strongly encouraged to attend the first available session. New members must complete an orientation session within one year of being elected or appointed to the planning group.

Planning group members may desire some background on the field of planning. Several good texts are available for the lay planner, including the highly recommended "The Role of the Planning Commissioner," published by the American Planning Association. Your assigned community planner can refer planning group members to other relevant books and articles. The Planning Department website will also provide a link to relevant reading materials.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

4.2 INDEMNIFICATION ORDINANCE

Although the individually recognized community planning groups and the Community Planners Committee are not official advisory boards of the City of San Diego, the City Council has authorized the City Attorney to defend individual planning groups and their duly elected or appointed members recognized in Council Policy 600-24 and the Community Planners Committee against any claim or action, through the adoption of Ordinance O-17086 NS entitled “An Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damage” in the following limited circumstances:

1. The person is a duly elected or appointed member operating in accordance with Council Policy 600-9 or Council Policy 600-24; and
2. The person attended the Community Orientation Workshop prior to participating in the activity which gave rise to the claim or action against the planning group or member; and
3. The alleged act or omission occurred or was authorized during a lawful meeting of the planning group or subcommittee thereof; and
4. The alleged act or omission was within the reasonable scope of duties of a planning group as described in the applicable Council Policies; and
5. The alleged act or omission was not in violation of any provision of the bylaws adopted by the planning group and approved by the City; and
6. The member or planning group has made a request in writing to the City for defense and indemnification within five working days of having been served such legal papers; and
7. The member or planning group has performed his, her or its duties in good faith with such care, including reasonable inquiry, as an ordinarily prudent person in a similar circumstance would use; and
8. The member or planning group must reasonably cooperate with the City Attorney in the defense of the claim or action; and
9. The member or planning group cannot have acted or failed to act because of fraud, corruption, actual malice or bad faith.

A planning group, or individual planning group members, may not be indemnified by the City if their conduct is contrary to Council Policy 600-24, their adopted bylaws, or other directives from the City to them, in their capacity as a planning group operating under the Policy.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

4.3 ELECTED MEMBER ROSTERS

One of the duties of recognized community planning groups is to maintain current rosters of planning group members and to submit these rosters to the Planning Department. Along with bylaws and annual reports, the roster is required and made available to the public.

Although it is important to maintain a member roster throughout the year with periodic updates, at least one revised member roster must be submitted to the City in April of each year, following the March planning group elections.

Elected membership rosters submitted for City use should contain, at minimum, the following types of information: **Member Name, Address, Telephone Number and FAX and Email address, Date of Initiation of Continuous Service, Date of Term Expiration, Eligibility, and Representation Category(s)**. The three basic eligibility categories are: **(1) Resident, (2) Property Owner, or (3) Local Business Owner, Operator, or Designee at a Non-Residential Real Property Address in the Community Planning Area**. Some planning groups may have other eligibility categories, particularly newly developing areas which do not yet have residents. These categories should be clearly identified, and defined if necessary, in the individual planning group bylaws.

Telephone numbers, E-mail address and FAX numbers are important to City staff to have the ability to transmit information electronically in a more timely manner. Planning Department staff also use this information to invite planning group members to training sessions and other City functions.

Member roster information could also be collected from prospective applicants for the filling of vacant planning group seats or for prospective candidates for the annual March elections. A sample Member Roster form is attached for your reference. See Attachment 2A for a Sample Planning Group City Use Roster, and Attachment 2B for a Sample Planning Group Public Roster. It is suggested that planning groups use this form, or a form with equivalent information, to help standardize basic member or applicant information.

Note that these rosters are only for listing of the 12-20 members of the planning group recognized by Council Policy 600-24. See Section **2.1 CATEGORIES OF MEMBERSHIP**. Many planning groups have established “general” membership categories of participation in planning group activities. These are often used to establish voting rights for vacancies on the board - see Section **5.1 ELECTION PROCEDURES**. The City does not need to retain information about individuals participating in a general membership category.

Note: Planning Groups have requested that their members’ addresses and telephone numbers not be given to outside parties who may use the lists for commercial or political reasons. Therefore, the City encourages each planning group to additionally supply the City with a roster containing the following required information: Member Name; Date of Term Expiration; and, Eligibility



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Category. If the Planning Department has a planning group roster in this format, as well as the full mailing and telephone information for the chair, only the basic roster will be made available to non-City requests.

4.4 ANNUAL REPORTS

Annual Reports are the third piece of information about recognized community planning groups that are part of the public record (along with bylaws and rosters).

Council Policy 600-24 requires that planning groups submit an annual report to the Planning Department by the end of March each year. The importance of the annual report is twofold: it serves as a record keeping tool to help ensure continuity among the planning group in the event of membership and officer changes; and it provides the planning group, the City and the public at large with an opportunity to review what the planning group has accomplished and to set some goals on what the planning group would like to accomplish. The timing of the filing date allows the planning group, as comprised prior to the March election, to file a report of its accomplishments.

Annual reports have traditionally varied among planning groups (perhaps necessarily so) and no one format is preferred, provided that it pertains to the accomplishments and objectives of the planning group in carrying out its duty advising the City on community plan preparation, amendments and/or implementation (e.g., reviewing development projects).

Experience shows that the reports are easiest to read if they are prepared with short statements or “bullets.” While the report does not have to follow a chronological format, it would be desirable to record the dates of votes and the vote results for major projects. In addition, it is not necessary to detail every item considered, but major actions of the planning group should be highlighted. Annual reports should be five pages or less; a format is provided on the City’s website and in Attachment 3. Topics that should be included in the Annual Report are:

- I. Introduction**
- II. Administrative Issues**
- III. Plan Preparation and Implementation**
- IV. Special Projects**
- V. Project Review**
- VI. Objectives**

Preparation of the annual report provides an excellent opportunity to account for all the minutes of the previous year. While the report may be prepared by a single member or a subcommittee of the planning group, it must be discussed and voted on by the planning group as a whole before being forwarded to the City.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

4.5 REPRESENTATIVES AT COMMUNITY PLANNERS COMMITTEE MEETINGS

As a means to ensure communication and to solicit citizen input on citywide issues among the various recognized community planning groups in the City, the Community Planners Committee (CPC) was instituted. Council Policy 600-24 designates each planning group chair to also be the planning group's representative at the CPC. Planning groups may designate by "specification" (i.e., vote) someone other than the chair to be the CPC representative, and planning groups may select an alternate to attend when the designated representative cannot attend the CPC meetings. If neither individual is available to attend, a planning group representative may attend a CPC meeting and speak on behalf of the planning group, but may not vote on the planning group's behalf. It is the responsibility of any planning group representative to CPC to report back to that planning group about the pertinent items addressed at CPC. Often items heard at CPC are subsequently forwarded to individual planning groups for action.

The CPC meetings provide a forum to discuss citywide planning issues. The meetings often include presentations by Planning Department staff or other speakers on topics of interest to CPC. The meetings are an opportunity to network with other community leaders and to question staff on important policy or development issues. The CPC is staffed by a Planning Department senior staff member well versed in planning and policy issues. Positions taken by CPC on important issues provide a key link with decision-makers at City Hall and in the various City Departments.

The planning groups' role has expanded to take in many task forces and special projects outside of typical planning issues. When so requested, CPC provides members to many of these efforts. In addition, CPC has formed subcommittees to review various issues in depth, and has made recommendation of great value to City decision-makers.

The form to use to submit the names and mailing information for a planning group's CPC representative and alternate is Attachment 4 to these Guidelines and is available at the CPC portion of the Planning Department's website.

4.6 DISTRIBUTION OF INFORMATION

An important role of a recognized community planning group is to be a conduit of information to the community it represents. Information received by the planning group on agenda items should be disseminated to members and to the public at the regular monthly meeting and at subcommittee meetings. If the information is time sensitive, distribution to the planning group members and the public can be done prior to the meeting, as long as the information is acknowledged and available at the meeting.

It is the duty of the planning group to act in good faith to distribute the information among elected planning group members and with the public. Planning group letters, project plans,



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

project assessment letters and other communications regarding projects and planning group business should be shared with the public upon request.

Staff recognizes the limitations of planning groups in the sharing of written information. Individuals may be referred to the Development Project Manager for information on a specific project. However, the public should be able to view the material upon which the planning group is basing its project recommendation.

Information about planning group business, received electronically by some members of the planning group, should be distributed to all elected planning group members and should be available or made known to any interested member of the community. Planning Department staff is available to assist in electronic information distribution upon request.

4.7 FILLING VACANCIES

General Provisions

Council Policy 600-24 directs each recognized community planning group to establish procedures in their bylaws for filling vacancies. As with election procedures, the planning group's procedures for filling vacancies must be clearly defined and as unambiguous as possible. Consider membership requirements, methods for candidates to speak on their qualifications or issues, and who votes for the new member(s), as well as how votes are conducted. It is also important that the procedures are communicated and followed consistently, and that an appearance of impartiality is maintained. Vacancies are generally filled for the remainder of the term of the vacated seat.

It is important to maintain in good faith a diverse representation on a planning group. If the planning group identifies seats by category, the filling of a vacancy should be with a candidate who meets the eligibility requirements for that same category. The individual bylaws can provide some flexibility in the filling of "category" seats as long as the diversity of the planning group is maintained.

Keep in mind that Council Policy 600-24 requires that vacancies shall be filled not later than 120 days following the date of determination of the vacancy, and that if the vacancy is not filled by this deadline it can affect the membership or continued operation of the planning group.

If a vacancy is not filled within 120 days but the planning group maintains a membership of at least 12, the seat should remain vacant until the next general election. If the vacancy is not expected to be filled and/or there is another unfilled seat after the next general election, the planning group should consider amending the bylaws to reduce the number of members to not less than 12.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

If a vacancy results and a planning group's membership drops below 12, the planning group should increase its efforts to recruit candidates to fill the vacancy. After the vacancy exists for 60 days, the planning group should report in writing to the Planning Department and City Council why the vacancy exists and what efforts have been made to fill it. If the vacancy exists after another 60 days (120 days from the date the vacancy was declared), the Planning Department will notify the planning group in writing that they will be placed on inactive status. While on inactive status the City will not recognize the planning group in a formal advisory role. While the inactive planning group can continue to meet, the City will not send development projects for their review and any action taken will not be considered a vote from a recognized community planning group. While on inactive status, the planning group should solicit new members and potential candidates for the next general election. The inactive planning group should follow the election procedures in the bylaws and conduct the next general election in order to gain at least 12 members and become active again. The time on inactive status counts towards the term limits of the elected members.

While a membership that is representative of the community make-up is required by the Council Policy, not all planning groups will utilize categories of membership in order to achieve diverse representation. If a planning group has had any past problems with representation, the bylaws should specifically address how this will be accomplished. When a planning group finds that there needs to be an adjustment of representation to the planning group due to changing community composition in developing communities or changing community interests, the bylaws can be amended to reflect the community demographics. The categories, number of seats, and timing of the changes can depend on a number of factors, such as the number of built housing units, amount of commercial development, industrial development, and other interests in the community. The Planning Department should be contacted to assist planning groups in determining how a balance and diverse representation on the planning group can be achieved.

Filling a Vacated Seat with an Individual from a Different Category

If a recognized community planning group has difficulty filling a vacant residential seat by the deadline, the planning group may fill the seat with an individual who qualifies for another residential category until the next general election. If a planning group has difficulty filling a vacant non-residential seat by the deadline, the planning group may fill the seat with an individual who qualifies for another non-residential category until the next general election. Filling a vacancy in one category with a candidate from a different category is considered temporary and that seat should only be filled until the planning group's next general election so that a candidate from the correct category can be elected to fill the seat. It is important to maintain in good faith a diverse representation on the planning group.

Vacancy Due to Ineligibility During a Term

A recognized community planning group member may need to voluntarily resign during his or her term of service because they no longer meet the basic Council Policy 600-24 requirement for



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

being an “eligible member of the community,” or because a planning group’s more detailed category of member seat is not met. The member should recognize the ineligible status him/herself. Otherwise, it should be brought to the member’s attention by the planning group secretary. If the member declines to resign, the planning group may proceed to find that the member has become ineligible to serve on the planning group.

A vacancy may exist due to one or more of the following reasons:

1. After three consecutive absences of the member at regularly scheduled meetings;
2. After four absences by the member within the 12-month period following the elections or;
3. Upon determination by the secretary that the member does not meet the membership qualifications outlined in the planning group’s bylaws.

Bylaws may further define the circumstances in which members become ineligible. A majority vote of the planning group at the next regularly scheduled meeting is necessary to determine the ineligibility of a member. If a member is found ineligible, the planning group should declare that a vacancy exists and proceed to fill the seat according to Council Policy 600-24 and the planning group bylaws.

4.8 ENDORSEMENTS AND REPRESENTATIONS

It's important that recognized community planning groups maintain and reinforce their independence as non-political advisors to the City on local land use matters. Because of this, Council Policy 600-24 does not permit individual planning group members to use their planning group affiliation when taking a position on, or endorsing, any candidate for elective public office, or ballot measure. Planning groups, as a whole, may take a position on ballot measures, but are not permitted to take a position or endorse any candidate for elective public office.

It is suggested that presentations on both sides of a ballot measure be given to planning groups at the same meeting, and that planning groups should set rules about what kinds of ballot measures they will hear. It would be best to limit such presentations to planning-related matters.

Presentations by candidates for any elective public office should be discouraged by the planning group. However, it is recognized that some communities have long-standing traditions of participating in co-sponsoring candidate forums. If candidates for any public office seek to address planning groups, the planning groups should attempt to invite all candidates for that position to address the planning group at the same meeting. City staff will inform candidates for public office within the City of San Diego about the responsibilities of planning groups to refrain from endorsing political candidates as the planning group or as a member of the planning group. Nothing in Council Policy 600-24 or in these Administrative Guidelines or in adopted bylaws of planning groups precludes a member from participating as an individual in political activities of their choosing.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

If in doubt, a good general rule of thumb is not to permit use of your planning group affiliation in any distributed election materials or broadcast endorsements of any kind (with the exception noted above regarding planning group endorsement of ballot issues). The prohibition of planning group or group member identification is valid at any forum or in any medium (newspaper, letters) outside of planning group meetings. Council Policy 600-24 is silent on the issue of whether planning group members can run for elective (public) office without first resigning from the planning group. However, planning group members running for office should follow the same guidelines laid out for ballot issues and not identify themselves as planning group members. It's also a good idea to contact your assigned community planner when unsure about this issue.

Planning group members should not identify their status as an elected planning group member when expressing opinions outside of the responsibilities assigned to recognized community planning groups through Council Policy 600-24. Doing so may affect a planning group member's eligibility for indemnification protection. See Section **4.2 INDEMNIFICATION ORDINANCE**. Caution is advised about identifying oneself as a planning group member because the title implies that the planning group has taken a position on that which the member is speaking. If a planning group member feels the need to identify him/herself as a planning group member, a qualifier such as saying you are a "member of the ... planning group but not representing the planning group's position" is advised. Individual planning groups may set up bylaw provisions suitable to their planning group which advise members about the planning group's desire for the way in which the planning group is represented to others.

Endorsements for activities outside planning groups' Council Policy 600-24-identified responsibilities should also be avoided. Many endorsements sought are for religious-based activities, typically certain holiday celebrations. Other, broader-based, community organizations such as town councils or neighborhood organizations, which are not recognized by the City of San Diego as advisors on land use policy, are better suited to endorse a variety of community activities.

4.9 MAKING AMENDMENTS TO ADOPTED BYLAWS

General Provisions

When a recognized community planning group desires to amend its bylaws, the amendment should be discussed in accordance with procedures or bylaw provisions previously set up by the planning group. It is strongly recommended that the planning group involve the assigned community planner early in the process when the planning group starts to amend its bylaws. A planning group may choose to create a subcommittee which will review and propose revisions to the bylaws. The subcommittee will submit a draft to the full planning group at a regular meeting for discussion. Consultation with the assigned community planner is advisable at this point: staff can advise whether revisions as proposed for a vote of the planning group are consistent



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

with Council Policy 600-24. An early indication from staff may avoid the need for repeat votes on bylaw amendments by the planning group.

After a planning group has voted to approve a proposed bylaw amendment, it should be forwarded to the assigned community planner for approval by the Planning Director and City Attorney in accordance with Council Policy 600-24. Staff will review the amendment for conformance with the Policy once it is formally submitted. Informal review prior to submittal makes the subsequent submittal process easier. If necessary, the full committee will vote on a final draft of the amendment after all necessary changes are made by the committee, subsequent to staff's review since the community planner must submit a planning group-approved bylaw amendment to the Planning Director and City Attorney. The staff planner prepares a resolution discussing the date and content of the planning group's proposed amendment. The amendment is reviewed by the Planning Director and City Attorney for conformance with the Policy. If consistent, it can be approved by the Planning Director and City Attorney. If the proposed bylaw amendment is not consistent with the Policy, and the planning group and City staff cannot develop provisions that suit the need of the planning group and meet the requirements of the Policy, then the planning group can request the amendment be forwarded to the City Council. The Council may: 1) agree with staff that the amendment is inconsistent with the Policy and reject the proposed bylaw amendment; 2) may disagree with staff, find the proposed amendment consistent with the Policy; or, 3) determine that the proposed amendment is worthy of approval and may waive the Policy provisions and approve the amendment.

Any proposed bylaw amendment is not effective until it is approved by the City. Planning groups should not use bylaw changes until they are notified by City staff that the bylaw amendments have been approved by the City.

There are three ways to insert amendments into adopted bylaws: 1) into the bylaws themselves; 2) into an appendix to the bylaws; or, 3) into a procedure. When a planning group establishes a procedure, the bylaws should be amended to specifically identify the existence of the procedure and its general content. Procedures and subsequent amendments are also subject to Planning Director and City Attorney approval.

In order to make the two documents consistent in organization, the planning group's bylaws should address the same topics as in Council Policy 600-24 and should be organized in the same order as the Policy. Format consistency between the two documents will make reading and comparing them more user-friendly, and can facilitate City staff's review of proposed bylaw amendments. The reorganization of bylaw topics may be approved but, generally, the planning group will be advised to maintain the order of provisions as found in the Policy.

Amendments Affecting Elections

If a proposed bylaw amendment affects adopted election procedures, the recognized community planning group should begin its bylaw amendment process well in advance of the elections, in



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

order to allow sufficient time to complete the review and approval process. Amendments should be submitted to the Planning Department in early fall; otherwise the bylaws will likely not be approved in time to prepare for the March elections. If the bylaws are not approved in time, then the current bylaws remain in effect. Planning groups should keep in mind how the amendment affects candidate eligibility and organization of the election process if applicable, and adjust the time schedule accordingly.

4.10 DISCIPLINE OR REMOVAL OF ELECTED MEMBERS OR VIOLATIONS BY A PLANNING GROUP

Members of recognized community planning groups have been elected by the community to act in good faith and with due diligence, within the assigned responsibilities of Council Policy 600-24 and the planning group bylaws. There have been circumstances when planning groups or planning group members have violated, sometimes knowingly, the Policy or their adopted bylaws. Inappropriate actions can be brought to the attention of the planning group or staff by members of the public, or may be observed by City staff. Occasionally, planning group members contact staff about actions of their own planning group members.

Actions by a planning group member, or by a planning group as an entity, that are violations or are inappropriate can result in discipline against an individual member or a planning group, and may result in the loss of the ability for the individual or planning group to be indemnified by the City, i.e., to be represented by the City if legal action is taken based on violation or inappropriate actions against the member or planning group.

Individual Members' Actions

Some types of inappropriate actions by a member of a recognized community planning group can be remedied. If this is a possible course of action, it is preferable to seek a remedy prior to pursuing a more severe discipline. However, there may be circumstances in which a member's removal from a planning group is necessary because it greatly benefits the planning group's ability to continue to operate effectively, and with credibility, in carrying out its duties in accordance with Council Policy 600-24.

Removal of a planning group member is a serious action which must be pursued only in extreme cases. It must be considered with care and thoroughness by the planning group, and any action must occur in a public setting. A planning group determination to proceed with discipline or removal of a member must follow a clear procedure that should be thoroughly discussed in the planning group's bylaws.

If a planning group's bylaws do not contain discipline or removal procedures, a planning group chair should consult with City staff to outline a process to be used in the particular case. The planning group should also process an amendment to its bylaws for future use.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Removal of Elected Planning Group Member Based on Eligibility

Certain factual situations may occur where, utilizing clear bylaws provisions, a recognized community planning group member is no longer eligible to be on the planning group. These situations, in accordance with Council Policy 600-24, are: (1) after three consecutive absences of the member at regularly scheduled meetings; or, (2) after four absences by the member within the 12-month period following an election. In addition, a member may change residence or business address and may no longer qualify under a planning group's membership categories.

It is not within a planning group's discretion to allow an individual who has lost eligibility according to the adopted bylaws to continue serving on the planning group to complete a term of service since the determination of ineligibility is immediate and irreparable.

A majority vote of a planning group at a regularly scheduled meeting may remove an elected member if, based upon documentation, the planning group secretary has determined that the member has become ineligible to serve because the member is not in compliance with the membership requirements of the planning group's bylaws. In this case, the planning group should provide the member with evidence showing the ineligibility and allow the member an opportunity to review it prior to putting the matter on a meeting agenda for a planning group vote. An ineligible planning group member should be given the opportunity to resign prior to the more formal step of scheduling a planning group action for removal.

Discipline or Removal of an Elected Planning Group Member

As discussed above, any action by a recognized community planning group to discipline or remove a planning group member must occur at a scheduled planning group meeting and be advertised on the agenda as an action item. Due to the significant nature of removing an elected member, and to ensure a fair and public process, the planning group's adopted bylaws must clearly address, but are not limited to, the following listed issues:

1. Requirement for a description of, and timeframe within which, the alleged violation was committed.
2. Requirement for a citation of which Council Policy 600-24 or adopted bylaws provisions the action is claimed to violate.
3. Manner in which allegations are to be brought forth to the planning group.
4. Timeframes for bringing allegations to the planning group and for resolving allegations, i.e., preparing for a planning group action.
5. Procedures for investigation and investigators.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

6. Procedure for presentation of allegation and fact-finding to the member, and describing the opportunity for rebuttal.
7. Notification of upcoming planning group action to the member.
8. Dismissal of the member.
9. Recourse for the expelled member.

Some actions by a planning group member may be in conflict with Council Policy 600-24 or a planning group's adopted bylaws but can be remedied. For example, a planning group vote with ineligible members, or a member failing to disclose a direct economic interest, are examples of situations that may be remedied by a planning group taking corrective action.

Some actions, however, may be determined by a planning group to be irreversible and damaging to a planning group and its credibility. A majority vote of the planning group should be used to show the level of interest in proceeding with removal of a member. If the planning group decides to pursue removal, the information listed above must be developed pursuant to adopted bylaws and be presented at a regular noticed planning group meeting. A two-thirds vote of the planning group's filled seats [not of the quorum present] at the regularly scheduled meeting may remove a member if allegations of violation of Council Policy 600-24 or adopted bylaws are proven to be correct and irreversible.

Planning groups must set up procedures in the bylaws if they anticipate disciplining or removing elected members. Members must be given an opportunity to present their information and their explanation of their actions. Planning groups may determine that initial discussion of violations may be better handled at a subcommittee level; however, the subcommittee has a responsibility to the individual member and to the planning group to present all facts in a fair way to allow the best decision to be made, following subcommittee meeting rules.

The full planning group, at a noticed meeting, must discuss the issue and attain a two-thirds vote of the planning group's filled seats in order to remove a member.

The action of removing a member is entirely within the purview of the elected planning group. Both the Planning Department staff and the City Attorney defer to the planning group regarding the process and the decision to remove an elected member. Upon request, however, the City may advise the planning group about other planning groups' experience in similar situations to help the planning group's perspective about the severity of the disciplinary action it is contemplating.

Violations by an Entire Planning Group

Council Policy 600-24 recognizes community planning groups as self-elected and generally self-governing organizations. City staff advises planning groups about how to comply with their bylaws and the Policy. City staff will refer bylaw questions back to a planning group when the



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

planning group's adopted bylaws address an issue but the planning group is hesitant to carry out the bylaw provision, or when the planning group wants to interpret a bylaw provision in a manner differently than it has been used in the past.

There may be situations, however, that require assistance from outside the planning group to resolve an issue that involves the planning group as a whole.

If the planning group's actions result in verifiable violations of Council Policy 600-24 or of their adopted bylaws, City staff will first work with the planning group chair and members to remedy the situation. Staff may discuss the issues with the chair, or may ask for a meeting with various planning group members. In some cases, discussions are documented in written correspondence. The goal is to provide assistance to the planning group to correct its actions so that credibility is maintained and the violation is eliminated and not repeated.

In cases of severe documented violations, or continued violations after counseling by City staff, City staff may request the assistance of the Community Planners Committee to determine an advisable course of action. The CPC members' experience in dealing with similar situations can help find a remedy – which continues to be the goal of City staff, even in cases where violations are severe and damaging. If there is a determination by the CPC that a planning group violated Council Policy 600-24 and/or adopted planning group bylaws, CPC will strive to recommend a corrective action.

If CPC either declines to consider the matter or is unable to recommend corrective action, City staff will pursue corrective action with the offending planning group, continuing to seek an outcome that will retain or restore the planning group's credibility and advisory role. Only in the most difficult-to-remedy circumstances will staff recommend that recognition conferred to the established planning group membership under Council Policy 600-24 be revoked and be reestablished with an alternative organization or membership.

4.11 CODE OF CONDUCT

For effective operation, a climate of civility and respect is an essential component of a recognized community planning group's credibility both in its operations and for its relations with the agencies and public with whom it interacts. Involving the widest participation in your community assures that the decisions your planning group makes will be based on all available input from stakeholders affected by your decisions. Issues addressed with full community participation are more likely to have community consensus and lend credibility to your group's recommendations to the City's decision-makers.

Discussions involving planning group members, members of the public, and individuals making presentations, should be respectful toward all participating individuals. Planning group members can disagree with positions or representations put forward by project applicants, but should do so in a non-threatening and non-personal manner. Planning groups are encouraged to establish



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

codes of conduct in order to facilitate effective meetings. Some tools to help you maintain a civil and respectful climate are contained in the Planning Department's document "Engaging in Public Dialogue." The document can be found on the Planning Department's website.

As indicated in Council Policy 600-24, Article VI, Section 1, a planning group member, or a planning group as a whole, is charged to act in a manner that is not detrimental to the group or its purpose. For behavior found to be detrimental through processes established in bylaws pursuant to the Policy, Article III, Sections 6 and 7, a member or a planning group risks loss of indemnification under Ordinance O-17086 NS as well as potential removal from the planning group.

For behavior that is disruptive to the planning group but is not a violation of specific operational provisions of Council Policy 600-24 or adopted bylaws, a planning group may determine that it is appropriate to follow the same discipline and removal process as outlined in Section **4.10 DISCIPLINE OR REMOVAL OF ELECTED MEMBERS OR VIOLATIONS BY A PLANNING GROUP** above to remove an elected planning group member for behavior disruptive to the planning group's operations and detrimental to its credibility. As discussed in Section 4.10, there are careful steps to use to assure that an elected member causing the disruption is aware of the offending behavior and is given an opportunity to cease prior to the planning group starting a removal process.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

5.0 Elections

SECTION	TITLE	COUNCIL POLICY SECTION	HISTORY
5.1	ELECTION PROCEDURES [FORMERLY GENERAL ELECTION PROCEDURES] <ul style="list-style-type: none"> • <u>OVERVIEW</u> • IMPARTIALITY AND OBJECTIVITY • INDIVIDUAL PLANNING GROUP RESPONSIBILITIES • PROMOTING PLANNING GROUP ELECTIONS • VOTING PROXIES • MAJORITY VOTE, PREFERENTIAL VOTE, AND PLURALITY VOTE • PLANNING GROUP ELECTION PROCEDURES 	ARTICLE V, SECTIONS 1,2,3 ARTICLE VIII, SECTION 1	ADOPTED JULY 1991 AMENDED APRIL 2001 AMENDED APRIL 2006



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

5.1 ELECTION PROCEDURES

Overview

According to Council Policy 600-24, each recognized community planning group is charged with establishing its own election procedures to be incorporated into adopted bylaws or into a procedure referenced in the bylaws. Election procedures are less likely to generate controversy if a sincere effort is made by the planning group to make the process open and accessible to the community. In Article VIII, Section 1, the Policy provides criteria that must be addressed in the election procedures but leaves, for the most part, the overall content to the discretion of the planning group. This discretion is necessary, given the diversity of planning groups throughout the City. The Policy does provide specific information as to when and how elections will be conducted. These stipulations should also be reflected in the individual procedures.

Council Policy 600-24 also requires that planning group members “be elected by eligible community members.” Planning groups have defined “eligible community members” differently, depending on their individual needs. Some planning groups have defined eligible members as anyone in the community; others have defined a general membership based on more restrictive standards. Refer to Section **2.1 CATEGORIES OF MEMBERSHIP**. The Policy remains vague on this point to allow for community discretion. Use the Sample Registration for Group Membership Application as a way to track planning group members who are eligible to become candidates.

In addition, the Elections Handbook is available as a resource for planning groups to utilize in developing election procedures and provides further detailed explanations regarding general elections. The Election Handbook is an Appendix to these Administrative Guidelines, locating all election related material together for easy use by planning groups in order to prepare to undertake an election. The Appendix should be considered to provide the same level of guidance as the numbered sections of the Administrative Guidelines.

Impartiality and Objectivity

It is important to maintain as much objectivity surrounding the recognized community planning group elections as possible. For example, it is wise to detach any members competing for elected seats from the process. Experience has shown that when candidates running for seats, especially during reelection, are portrayed as being part of a “slate of candidates”, a perception arises that a planning group is not interested in seeking new members or diverse viewpoints, or that the outcome of the election is pre-determined. This, of course, is contrary to the objectives of Council Policy 600-24. Planning groups should not use the word “slate” for the elections since it implies a predetermination or preference for certain candidates by the Elections Committee.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

The spirit of fair elections should be maintained even though planning groups are not subject to the formality of the Fair Political Practices Act. For example, there should be no campaigning for planning group candidates at polling places or within a reasonable distance of the polls. Individual planning groups can set limits appropriate for their polling places. Also, planning group agenda items should not be the venue for expressing support for individual candidates running for election. The Public Comment section of the agenda is not an appropriate time for statements of support for any candidate. On the other hand, a planning group-sponsored forum may be an opportunity for all candidates to express their desire or qualifications to be elected to the planning group.

It would be contrary to the spirit of a fair election, also, for a planning group member acting in their role as a member of an organization outside the planning group to express a position about a candidate for the member's own planning group.

Individual Planning Group Responsibilities

Because election procedures are not rigidly defined by Council Policy 600-24, they can be closely scrutinized or challenged by the public--and often are. Therefore, clear election procedures should be provided for in the bylaws and consistently followed. When preparing the recognized community planning group's election procedures, it is important to be as detailed and descriptive as possible, while maintaining some degree of flexibility where necessary (e.g., location of "polls"). Clearly define the roles and responsibilities of planning group members participating in the election process, including elections and/or nominating subcommittees. Many planning groups advise that the use of a single Elections Committee has been more beneficial than having both a Nominating Committee and an Elections Committee. In developing election procedures, try to determine the location of polling places, dates, and times of elections to maximize public participation and not planning group convenience. Try to make sure that the election policies in the bylaws or in procedures are readily available to the public and presented consistently. It is useful to prepare detailed instructions that can be distributed in writing.

Promoting Planning Group Elections

The Elections Handbook [Appendix 1] provides general guidance to recognized community planning groups about noticing of elections, and gives examples of proven techniques. Planning group bylaws should echo Council Policy 600-24's direction to planning groups to take responsibility for promoting elections, although specific techniques can be detailed in adopted procedures. It is critical that a planning group takes responsibility to promote elections within the community, and to promote candidate opportunities in ample time for newly-interested individuals to become eligible to be candidates. General election announcements should be made early to reach a wide geographic and diverse population in the community. Candidate eligibility requirements should be publicized by the planning group in advance in order to ensure that those who want to run qualify for candidacy in accordance with the bylaws.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

The Planning Department has also begun to publicize elections through the City's website and the City's TV24 programming.

The following list contains suggestions for promoting both candidate opportunities and the general election:

1. Announce at planning group meetings.
2. Announce on the printed and distributed planning group agendas.
3. Announce on planning group websites if applicable.
4. Announce on email listings.
5. Announce in community newsletters, newspapers
6. Display flyers at Community Service Centers, libraries, bulletin boards and other meeting places.
7. Distribute flyers throughout the community.

Voting Proxies

A proxy is the authority given by one person to another to vote in his/her stead. Per Robert's Rules of Order Newly Revised, proxy voting is incompatible with the essential characteristics of a deliberative assembly in which membership is individual, personal, and is nontransferable. Thus, proxy voting is not allowed in elections, and recognized community planning group election procedures should specifically state this.

Majority Vote, Preferential Vote, and Plurality Vote

Many recognized community planning groups' bylaws indicate that a majority vote for a candidate is required for a planning group seat to be filled. This has caused elections with more than two candidates for one seat to have to conduct repeated balloting to meet the requirements to attain a majority vote. It is permissible for a planning group seeking to seat a candidate by a majority vote to limit the number of ballots to be cast to determine the outcome. For example, a planning group may write into its bylaws that any seat up for election must receive a majority vote, however, after e.g., five successive votes if a candidate does not attain a majority of the votes cast, the winner may be declared as the candidate having the most votes cast for that seat. This is, in essence, a reversion to a plurality vote after a certain number of rounds of balloting.

It is also permissible for a planning group to amend its bylaws to allow an alternative voting calculation method. A planning group may use a "Preferential Voting System", as described in



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

[April 26, 2006]

Robert's Rules of Order Newly Revised, as follows: on the ballot, where there are more than two candidates for one seat, instruct the voters to indicate a numerical preference for each candidate, e.g., a "1" is given to the voter's first choice candidate, a "2" for the second choice candidate, etc., for all candidates. In counting the votes for a given planning group position, for each candidate, the "1"s, "2"s, etc. are counted. If one candidate receives a majority of the votes, that candidate is elected. However, if no candidate receives a majority, the votes originally given to the candidate receiving the least number of "1"s are distributed to the other candidates that were given "2"s. The ballots are again counted to see if, with those redistributed votes, someone receives a majority of the votes. If no one receives a majority of votes cast, the next lowest candidate's ballots are redistributed to the candidates indicated by the number "2," and the votes are again counted to determine if a majority has been received by one candidate. Eventually, without conducting subsequent rounds of balloting, a majority winner is determined.

For some planning groups, a plurality voting system may work. Robert's Rules of Order Newly Revised does suggest that a "plurality vote is unlikely to be in the best interests of the average organization" because the vote is not representative of a majority of an organization's members.

It is important that planning groups are clear in which vote counting method their adopted bylaws provide for and follow that method and any procedures that support it. A challenge to voting irregularities may wholly negate an entire election, causing a whole new process to begin.

Planning Group Election Procedures

All recognized community planning groups' election provisions in adopted bylaws or procedures should address, but not be limited to, the following responsibilities. While bylaws may contain complete discussions of the issues below, they may also provide the basic policies and defer details to operating procedures that are listed in the bylaws and attached to them.

1. Verification of candidate eligibility [making sure that the eligibility is confirmed prior to creating a ballot to avoid questioning of candidate eligibility during the election].
2. Creating a ballot with all candidates appropriately represented.
3. Handling of write-in candidates [if applicable].
4. Location[s] of polls, including managing multiple concurrent polling locations [if allowed].
5. Management of the polls by planning group members.
6. Verifying voter eligibility.
7. Setting election date[s].



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

8. Setting voting time[s].
9. Mail-in ballot procedures [if applicable].
10. Closing the polls.
11. Counting the ballots, including when, by whom, and how to account for candidates continuing beyond eight or nine consecutive years of service.
12. Ballot record keeping.
13. Tie-breaking procedures, including a Preferential Voting system, to be clarified prior to the conducting of the election.
14. Election challenge procedures.
15. Installation of newly-elected members.
16. Maintaining confidentiality of secret written ballots.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

Administrative Guidelines Attachments

ATTACHMENT NUMBER	ATTACHMENT TITLE	HISTORY
1	SAMPLE REGISTRATION FOR PLANNING GROUP MEMBERSHIP APPLICATION	AMENDED APRIL 2006
2A	SAMPLE PLANNING GROUP CITY USE ROSTER	AMENDED APRIL 2006
2B	SAMPLE PLANNING GROUP PUBLIC ROSTER	ADDED APRIL 2006
3	ANNUAL REPORT FORMAT	ADDED APRIL 2006
4	COMMUNITY PLANNERS COMMITTEE (CPC) MEMBERSHIP DATA FORM	AMENDED APRIL 2006



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

RECOGNIZED COMMUNITY PLANNING GROUP

MAILING ADDRESS
SAMPLE REGISTRATION FOR RECOGNIZED PLANNING GROUP
GENERAL MEMBERSHIP APPLICATION

The XXX Planning Group ("Planning Group") holds regular meetings at 0:00 p.m. on the XXX day of each month (except XXX Month) in the LOCATION, ADDRESS. The Planning Group consists of XXX Elected Members. The XXX Planning Group is the officially recognized advisory group to the San Diego City Council. The role of the Planning Group is to review and provide recommendations to the City on land use matters and development-related projects and issues that fall within the XXX Community Planning Area.

There is no charge to attend meetings or to join the Planning Group. Any person, age 18 or older, who lives, owns property, or owns or operates a business within the XXX planning area and is interested in becoming a General Member of the XXX Planning Group may submit a completed *Registration for Membership* application form to the Planning Group's Executive Board.

General Members are encouraged to volunteer to serve on the Planning Group's subcommittees (examples: Bylaws, Public Facilities/Parks/Housing, Transportation, Urban Design/Project Review), to participate at the Planning Group's meetings, to vote when Board elections are held, and to consider becoming candidates for Board membership when there are vacancies as specified in the bylaws. In order to serve on the Board, a candidate must have attended at least XXX regular Planning Group meeting(s) in the previous XXX months and must have been a General Member of the Planning Group for at least XXX days (refer to bylaws to see if this applies).

Donations to assist the Planning Group in carrying out its responsibilities are accepted. Donations may be submitted with a membership application or offered in person at a Planning Group meeting.

Completed *Registration for Membership* forms may be submitted to the Planning Group Secretary at a Planning Group meeting, or mailed to: XXX Community Planning Group, Attn: Secretary, Address.

General membership is open to residents, property owners, and persons who own or operate businesses within the XXX planning area, the general boundaries of which are XXX.

(Circle one) **DR. MR. MS. Other:**___ **NAME:**_____

MAILING ADDRESS:_____
 Street Address or P.O. Box City State Zip Code

E-MAIL ADDRESS _____ **FAX** _____

HOME PHONE:_____ **WORK PHONE:**_____ **CELL PHONE:**_____

CHECK EACH CATEGORY OF MEMBERSHIP THAT APPLIES:

() RESIDENT HOMEOWNER **ADDRESS OF PROPERTY:**_____

() RESIDENT RENTER **ADDRESS OF PROPERTY:**_____

() NON-RESIDENT PROPERTY OWNER **ADDRESS OF PROPERTY:**_____

() LOCAL BUSINESS OWNER, OPERATOR OR DESIGNEE AT A NON-RESIDENTIAL REAL PROPERTY ADDRESS IN THE COMMUNITY PLANNING AREA – **LIST THE BUSINESS BELOW**

NAME AND ADDRESS OF BUSINESS (if applicable):_____

SIGNATURE:_____ **DATE:**_____

For Planning Group Use Reviewed by: _____ Date: _____
 Meets Eligibility Criteria: YES___ NO_



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

NAME
Planning Group
City Use Roster – Month, Year

Chair

Name	Telephone Number	Fax Number
Address		
City, State Zip Code	Term expiration	Seat (if applicable)
Email Address	Initial Term Date with Uninterrupted Service	

Vice Chair

Name	Telephone Number	Fax Number
Address		
City, State Zip Code	Term expiration	Seat (if applicable)
Email Address	Initial Term Date with Uninterrupted Service	

Secretary

Name	Telephone Number	Fax Number
Address		
City, State Zip Code	Term expiration	Seat (if applicable)
Email Address	Initial Term Date with Uninterrupted Service	

Treasurer

Name	Telephone Number	Fax Number
Address		
City, State Zip Code	Term expiration	Seat (if applicable)
Email Address	Initial Term Date with Uninterrupted Service	

Elected Members [list each individually]

Name	Telephone Number	Fax Number
Address		
City, State Zip Code	Term expiration	Seat (if applicable)
Email Address	Initial Term Date with Uninterrupted Service	

Community Planner

Name	Phone Number	Fax Number
San Diego Planning Department		
202 "C" Street, MS-4A		
San Diego, CA 92101		
Email Address		

Last updated XXX



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
 [April 26, 2006]

NAME
Planning Group
Public Roster - Month, Year

Chair

Name	Telephone Number	Fax Number
Address		
City, State Zip Code	Term expiration/Initial Term Date	Seat (if applicable)
Email Address		

Vice Chair

Name	Term Expiration/ Initial Term Date	Seat (if applicable)
-------------	------------------------------------	----------------------

Secretary

Name	Term Expiration/ Initial Term Date	Seat (if applicable)
-------------	------------------------------------	----------------------

Treasurer

Name	Term Expiration/ Initial Term Date	Seat (if applicable)
-------------	------------------------------------	----------------------

Elected Members

List Each Name	Term Expiration/ Initial Term Date	Seat (if applicable)
-----------------------	------------------------------------	----------------------

Community Planner

Name	Phone Number	Fax Number
San Diego Planning Department		
202 "C" Street, MS-4A		
San Diego, CA 92101		
Email Address		

XXX Community Planning Group meets monthly on the XXX Day of each month at Location.

For more information on XXX Community Planning Group, contact Name, Chairperson, at phone number/email address.

Last updated XXX



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

ANNUAL REPORT OF THE
XXX PLANNING GROUP
Month, Year – Month, Year

Section I Introduction.

Include the name of the planning group, its officers and any subcommittees.

Section II Administrative Issues.

Include the number of meetings held, membership changes, numbers and categories of membership, revisions to the planning group's bylaws, procedures and/or policies.

Section III Plan Preparation and Implementation.

Provide a chronology of participation on a plan update or amendments, ordinance preparation/amendments and rezones, public facilities financing plan, etc. Include, if possible, specifics on key actions taken (dates and results of votes).

Section IV Special Projects.

Document any special projects discussed and voted on by the planning group. Include specifics on any actions taken. Projects could include policy items, City or regional task forces, General Plan meetings, or political candidate as well as ballot forums.

Section V Project Review.

Document the planning group's review and/or actions taken on major discretionary projects. List this information by project name and location if possible. Discretionary projects include variances, street vacations, planned development permits and coastal development permits.

Section VI Objectives.

Address any or all of the above categories. Discussions might include how the planning group operates or interacts or special projects that the planning group would like to pursue.



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

COMMUNITY PLANNERS COMMITTEE (CPC)
MEMBERSHIP DATA

Planning Committee

Chair

Date

I am the committee's representative to CPC
(name and address below)

email_____

OR

I am not the committee's representative to CPC.
The committee's action on _____ designated
Date
the CPC representative as (name and address below):

email_____

The designated alternate is (name and address below):

email_____

City staff must receive this information pursuant to CPC bylaws in order for any committee to maintain active membership and voting rights in CPC. You may email this completed form to the Planning Department at CommunityPlannersCommittee@sandiego.gov.

Note: This form is available on the City's website at: <http://www.sandiego.gov/planning/community/pdf/cpc/cpcmemberdataform.pdf>



CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES
[April 26, 2006]

APPENDICES BY REFERENCE

APPENDIX NUMBER	APPENDIX TITLE	HISTORY
1	ELECTIONS HANDBOOK	MOVED INTO ADMINISTRATIVE GUIDELINES APRIL 2006
2	COUNCIL POLICY 600-24	REVISED OCTOBER 2005
3	O-17086 NS INDEMNIFICATION ORDINANCE	
4	ENGAGING IN PUBLIC DIALOG HANDBOOK	



(O-88-185 REV. 1)
ORDINANCE NUMBER O-17086 (NEW SERIES)
ADOPTED ON APRIL 25, 1988

(O-88-185 REV. 1)
ORDINANCE NUMBER O-17086 (NEW SERIES)
ADOPTED ON APRIL 25, 1988

AN ORDINANCE PROVIDING FOR LEGAL
REPRESENTATION TO AND INDEMNIFICATION OF
COMMUNITY PLANNING COMMITTEES AGAINST CLAIMS
FOR DAMAGES.

WHEREAS, the successful implementation of the Progress Guide and General Plan of The City of San Diego requires the thoughtful and deliberate development of community plans; and

WHEREAS, the development of community plans requires the cooperation and participation of citizens who have the personal knowledge of the needs and aspirations of their respective communities; and

WHEREAS, the City Council has adopted Council Policy 600-5 entitled "Community Plans" which provides in part:

1. That in urbanized areas the citizens' group has established, to a reasonable degree, a formal organization structure which is capable of providing proper coordination and communications with City staff forces. In nonurbanized areas the Planning Commission will serve as the citizens' group unless and until a citizens' group is recognized by the City Council; and for whatever period the Commission performs this function, it shall do so with the invited participation of the chairmen of existing citizens' groups representing areas contiguous to that which is the subject of a proposed development plan.

2. That said citizens' organization contains as broad a base of local representation as is feasible and practical, and it is expected that community real property owners will be active in the leadership and the formation of any such programs.

3. That said citizens' organization has an awareness of its duties and responsibilities in participating in the planning process and acknowledges a willingness to accept these responsibilities.

4. That said citizens' organization shall, in collaboration with City staff, select appropriate study



(O-88-185 REV. 1)
ORDINANCE NUMBER O-17086 (NEW SERIES)
ADOPTED ON APRIL 25, 1988

area boundaries and present a tentative outline of objectives and its work program.

5. That during an early stage of the work program the citizen planning group shall, in consultation with property owners and City staff, establish and submit reasonable time schedules for the various phases of the program to the Planning Commission.

WHEREAS, the City Council has adopted Council Policy 600-9 entitled "Community Planners Committee" which provides in part:

1. This citizens' organization shall be composed of the chairman, or officially designated representative, or alternate of each of the community planning committees as recognized under Council Policy 600-5, and shall be known as the "Community Planners Committee."

2. In its advisory capacity, this citizens' organization shall participate in reviewing and recommending to appropriate bodies actions deemed necessary and desirable for the timely and continued effectuation of goals, objectives and proposals contained in the General Plan.

3. This citizens' organization shall be responsible for participating in an advisory capacity in the comprehensive review of the General Plan as prescribed in Council Policy 600-7.

4. In the discharge of its responsibility in the five-year comprehensive review of the General Plan, this citizens' organization shall function as a nucleus committee to which augmentation may be necessary and desirable to insure maximum utilization of local citizen resources. Selection of such augmentation shall be the responsibility of the Mayor and City Council and shall be only of such duration as is necessary to complete the preparation of General Plan revisions for recommendation to the Planning Commission and City Council for adoption.

5. This citizens' organization shall undertake such other studies or make such recommendations on citywide issues related to the General Plan as may be requested by the City Council, Planning Commission and Planning Department, City Manager or other official City agency.

6. This citizens' organization shall serve in an advisory capacity to the community planning committees



(O-88-185 REV. 1)
ORDINANCE NUMBER O-17086 (NEW SERIES)
ADOPTED ON APRIL 25, 1988

officially recognized under Council Policy 600-5 primarily to achieve the desired objective of insuring maximum coordination on a comprehensive or citywide basis and promotion of solutions of matters of mutual concern shared among the communities of San Diego.

WHEREAS, the City Council has adopted Council Policy 600-24 which provides a procedure under which citizens who are interested in participating in the planning process in an advisory capacity may form organizations and request recognition, in their advisory capacity, by the City Council as community planning committees; and

WHEREAS, community planning committees devote countless hours of their time and substantial private resources in assisting The City of San Diego in the development and implementation of community plans and the Progress Guide and General Plan; and

WHEREAS, the voluntary efforts of community planning committees are of inestimable value to the citizens of the City of San Diego; and

WHEREAS, recent developments have caused community planning committees to become concerned about possible exposure to litigation arising from participation in the planning process; and

WHEREAS, the concerns about personal exposure to litigation have jeopardized the vitality of the planning process and, unless eliminated, may cause the collapse of the process that provides essential citizen participation; and

WHEREAS, Section 40 of the Charter of The City of San Diego provides, inter alia, that the City Attorney shall perform such other duties of a legal nature as the City Council may by ordinance require; and

WHEREAS, the Council of The City of San Diego finds and declares that the provision of legal services by the City Attorney and the indemnification against damages resulting from a judgment against any community planning committee or the elected or appointed member thereof serving and acting in such capacity would constitute expenditure of public funds which serves the highest public interest and purpose; NOW, THEREFORE,

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

Section 1. Except as hereinafter provided, the office of the City Attorney shall defend and The City of San Diego shall indemnify the Community Planners Committee established by Council Policy 600-9, and any community planning



(O-88-185 REV. 1)
ORDINANCE NUMBER O-17086 (NEW SERIES)
ADOPTED ON APRIL 25, 1988

committee established pursuant to Council Policy 600-24, hereafter collectively referred to as "Committee," and the duly elected or appointed members thereof against any claim or action against such committee or member if all of the following circumstances exist:

A. The person is a duly-elected or appointed member of a committee recognized and operating in accordance with Council Policy 600-9 or Council Policy 600-24; and the person attended a community planners' training course conducted by the Planning Department of The City of San Diego prior to participating in the activity which gave rise to the claim or action against the committee or member;

B. The alleged act or omission occurred or was authorized during a lawful meeting of the committee or subcommittee thereof;

C. The alleged act or omission was within the reasonable scope of duties of a committee as described in Council Policies 600-5, 600-6, 600-9 and 600-24 and was not in violation of any provision of the bylaws adopted by the committee and approved by the City Council;

D. The member or committee has made a request in writing to the City for defense and indemnification within five (5) working days of having been served such legal papers; and

E. The member or committee has performed his, her or its duties in good faith with such care, including reasonable inquiry, as an ordinarily prudent person or persons in a like position would use under similar circumstances.

Section 2. The City of San Diego may decline to represent a member or a committee that would otherwise be entitled to defense and indemnification under this ordinance if either of the following circumstances exist:

A. The member or committee does not reasonably cooperate with the City Attorney in the defense of the claim or action; or

B. The member or committee acted or failed to act because of fraud, corruption, actual malice or bad faith.

Section 3. In the event the City Attorney determines that a member or a committee is not entitled to or should not receive a defense and indemnification under this ordinance, the



(O-88-185 REV. 1)
ORDINANCE NUMBER O-17086 (NEW SERIES)
ADOPTED ON APRIL 25, 1988

City Attorney shall promptly advise the City Council and the member or committee.

Section 4. The provisions of this ordinance apply only to members of committees established and recognized by the City Council pursuant to Council Policy 600-9 and Council Policy 600-24.

Section 5. Representation and indemnification shall not be provided by The City of San Diego in any administrative or judicial proceeding initiated by a committee or its members against The City of San Diego, its agencies or representatives or any other party or organization nor shall representation and indemnification be provided to a committee or its members against damages to any person or organization which are alleged to have resulted from the initiation of any administrative or judicial proceeding by a committee or its members.

Section 6. In no event shall representation or indemnification be provided against a claim or judgment for punitive damages.

Section 7. This ordinance does not constitute an admission or a waiver of the position of The City of San Diego that committees are not official advisory boards of The City of San Diego and the members thereof are not officers, employees or servants of The City of San Diego.

Section 8. 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

Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:ta

03/31/88

04/12/88 REV. 1

Or.Dept:Plan.

O-88-185

Form=o.none



BACKGROUND:

The increasing involvement of citizens of San Diego in planning programs is unique for many reasons, the more notable of which include the extent to which positive accomplishments are already emerging from this process coupled with the broadening citywide realization of the future benefits of insuring a better city that are possible from such efforts. The City Council, in early recognition of these advantages, established in 1965 Policy 600-05, clearly indicating official encouragement and support of citizen participation.

The adoption in 1967 of the Progress Guide and General Plan for the City of San Diego, the subsequent establishment in 1968 of Policy 600-07 setting forth a procedure for periodic review of the General Plan, the previously stated progress experienced in formulating, adopting and implementing community plans, all combine to illustrate the growing need to insure coordination between the General Plan, the many Community Plans and the many interrelated efforts required for their effectuation. Such coordination must be insured on a comprehensive citywide basis. Effort to insure this comprehensive coordination should maximize the invaluable knowledge, experience and dedication towards community planning and development already demonstrated by San Diego citizens. To this end, a citizens organization should be formed with principal focus upon the General Plan and citywide issues related to it in a way that would assist the City Council, Planning Commission and Planning Department and the City Manager in guiding future growth of the City. Establishment of this citizens organization would represent a continuation of the original concept of citizen involvement utilized in initially formulating the General Plan.

PURPOSE:

The purpose of this Policy is to establish a citizens organization responsible in an advisory capacity to the City on those matters related to the General Plan and respective Community Plans.

POLICY:

It shall be the policy of the City to provide on a continuing basis a citizens committee responsible for advising the City Council, Planning Commission and Planning Department, City Manager and other appropriate agencies on those matters related to the General Plan, its amendment, implementation, and coordination with Community Plans and related planning and development programs.

1. This citizens organization shall be composed of the chairman, or officially designated representative, or alternate of each of the community planning committees as recognized under City Council Policy 600-05, and shall be known as the "Community Planners Committee."
2. In its advisory capacity, this citizens organization shall participate in reviewing and recommending to appropriate bodies actions deemed necessary and desirable for the



timely and continued effectuation of goals, objectives and proposals contained in the General Plan.

3. This citizens organization shall be responsible for participating in an advisory capacity in the comprehensive review of the General Plan as prescribed in City Council Policy 600-07.
4. In the discharge of its responsibility in the five-year comprehensive review of the General Plan, this citizens organization shall function as a nucleus committee to which augmentation may be necessary and desirable to insure maximum utilization of local citizen resources. Selection of such augmentation shall be the responsibility of the Mayor and City Council and shall be only of such duration as is necessary to complete the preparation of General Plan revisions for recommendation to the Planning Commission and City Council for adoption.
5. This citizens organization shall undertake such other studies or make such recommendations on citywide issues related to the General Plan as may be requested by the City Council, Planning Commission and Planning Department, City Manager or other official City agency.
6. This citizens organization shall serve in an advisory capacity to the community planning committees officially recognized under City Council Policy 600-05 primarily to achieve the desired objective of insuring maximum coordination on a comprehensive or citywide basis and promotion of solutions of matters of mutual concern shared among the communities of San Diego.
7. To insure the successful discharge of the above functions, the citizens organization shall adopt rules of procedure calling for meeting schedules, methods of conduct of business and related matters as appropriate. Incidental staff clerical and related assistance as may be required shall be the responsibility of the Planning Department.

HISTORY:

Adopted by Resolution R-199050 02/12/1970

Amended by Resolution R-212667 02/20/1975



CITY OF SAN DIEGO, CALIFORNIA
APPLICATION OF BROWN ACT TO COMMUNITY PLANNING GROUPS

LESLIE E. DEVANEY
ANITA M.NOONE
LESLIE J. GIRARD
SUSAN M. HEATH
GAELB.STRACK
ASSISTANT CITY ATTORNEYS
RICHARD A. DUVERNAY
DEPUTY CITY ATTORNEY

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DEEGO
Casey Gwinn
CITY ATTORNEY

CIVIL DIVISION
1200 THIRD AVENUE, SUITE
1K
SAN DIEGO, CALIFORNIA
92101-4100
TELEPHONE (619) 533-5800
FAX (619) 533-5856

MEMORANDUM OF LAW

DATE: March 7, 2000
TO: Betsy McCullough, Long Range Community Planning Director
FROM: City Attorney
SUBJECT: Application of Brown Act to Community Planning Groups

QUESTION PRESENTED

You have asked me to update and expand a legal opinion issued by our Office in 1982 on the issue of whether Community Planning Groups are subject to the Brown Act.

SHORT ANSWER

The Brown Act only applies to the legislative bodies of local agencies. Local Planning Groups do not fit the statutory definition of a "legislative body." They are considered private organizations because membership is not under the control of the City and they are not delegated legal authority by the City Council to take actions on behalf of the City.

ANALYSIS

The Brown Act was enacted to ensure public access to local government. Cal. Gov't Code §54950 - 54952. It provides that "[a]ll meetings of the legislative body of the local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter." Cal. Gov't Code § 54953. The Brown Act is directed toward the conduct of public officials and seeks to ensure that their actions be taken openly and that their deliberations be conducted openly. *Farron v. City and County of San Francisco*, 216 Cal. App. 3d 1071, 1074 (1989).

The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

Cal. Gov't Code § 54950.



CITY OF SAN DIEGO, CALIFORNIA
APPLICATION OF BROWN ACT TO COMMUNITY PLANNING GROUPS

Betsy McCullough

-2-

March 7, 2000

Although the Brown Act has a broad purpose, it only applies to those entities which it defines as “legislative bodies of local agencies.” Cal. Gov't Code § 54953. For example, the Council of the City of San Diego is a legislative body subject to the Brown Act. Cal. Gov't Code § 54951, *see also San Diego Union v. City Council*, 146 Cal. App. 3d 947 (1983) (City of San Diego is a local agency). Legislative bodies are also defined in relevant part as “[a] commission, committee, board or other body of a local agency, whether permanent or temporary, decision-making or advisory, created by charter, ordinance, resolution or other formal action of a legislative body.” Cal. Gov't Code § 54953 (b). For example, where a school board created an advisory committee in order to investigate, review, and deliberate on parental complaints, the advisory committee was deemed a legislative body and was thus subject to the Brown Act. *Fraze v. Dixon Unified School District*, 18 Cal. App. 4th 781 (1993). The school board was the local agency. *Id.* at 793. The school board created the advisory committee pursuant to school board policy 7138. *Id.* The school board appointed all of the members of the committee. *Id.* at 792. The committee exercised the investigatory and review authority delegated to it by the school board. *Id.*

In contrast, the court held that if a private organization operating a coal exporting facility was a pre-existing organization which simply entered into a contractual arrangement with the City to develop a coal facility, the organization did not meet the statutory definition of a legislative body and was not subject to the Brown Act. *International Longshoremen's and Warehousemen's Union v. Los Angeles Export Terminal*, 69 Cal. App. 4th 287 (1999). The City would not have created the coal export organization, it would have merely chosen to do business with it. *Id.*

Similarly, although the City “officially recognizes” Community Planning Groups [CPGs], it does not create, maintain, or manage them. They are voluntarily created and perpetuated by interested members of the local communities. The appointment of members is not subject to review or approval by the City Council or any other City agency. Article III, Section 2 of Council Policy 600-24 provides that “[t]he members of this committee shall consist of the members as of the date of recognition by the City Council, and of such additional members as shall thereafter be elected by eligible community members in the manner prescribed by these Operating Procedures.” Section 3 goes on to provide that: “Community planning committee members shall be elected by and from eligible members of the community.”

It is also important to note that no authority of the City is delegated to CPGs. Under City Council Policy 600-24 “[t]he City merely 'recognizes' one group of individuals over others for purposes of receiving input on certain land use matters.” 1992 Op. City Att'y 366, 367. There is no agency relationship established between the City and a particular CPG by the City's mere recognition of a group. *Id.* at 367. Thus, because the City does not appoint or control membership of CPGs and does not delegate authority to act on behalf of the City to the CPGs, CPGs are not legislative bodies. Because they are not legislative bodies they are not subject to the Brown Act.

It must be understood, however, that in exchange for official recognition from the City, CPGs are encouraged to follow the spirit of the Brown Act. Council Policy 600-24 establishes Betsy McCullough -3- March 7,2000 procedures to be incorporated into the bylaws of each CPG in



CITY OF SAN DIEGO, CALIFORNIA
APPLICATION OF BROWN ACT TO COMMUNITY PLANNING GROUPS

order to qualify for official recognition. Although these procedures are not as expansive as those in the Brown Act, they do serve the same general purpose of keeping the meetings open to the public. For instance, “[a]ll meetings of committees and subcommittees shall be open to the public . . . except as otherwise provided in this Council Policy and/or committee bylaws.” Council Policy 600-24, art. VI, § 2.

In addition, Administrative Guidelines for Council Policy 600-24 further elaborates on encouragement of community participation. Section 1 provides:

[CPGs are required to] periodically seek community-wide understanding of, and participation in, the planning and implementation process. [They] must provide participation during review of specific development proposals to property owners, residents, and business establishments affected by the proposed project. Any interested member of the public should be allowed to address the proposal, though [the CPGs can define] time limits and . . . method[s] of participation [CPGs must also make] a good faith effort . . . to advertise regularly scheduled meetings and annual elections

Administrative Guidelines for Council Policy 600-24, § (1) Encouraging Community Participation (1991).

CONCLUSION

Community Planning Groups are not subject to the Brown Act because they do not meet the statutory definition of a legislative body. The local agency, the City, would have to create and annually appoint the membership of Community Planning Groups in order for them to qualify as legislative bodies. The City does not create Community Planning Groups, it merely recognizes them. Although Community Planning Groups are not subject to the Brown Act, they are required by Council Policy 600-24 to establish procedures which encourage community participation. Thus, they comply with the spirit of the Brown Act by striving to be open and public in the conduct of their business.

CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:lc:623(x043.2)
ML-2000-5



Elections Handbook

2005



City of San Diego Planning Department

The handbook represents a compilation of current Council Policy 600-24, the Administrative Guidelines, current community planning committee bylaws, and references from Robert's rules of Order. The Election Handbook will be revised to reflect any changes to Council Policy and the Administrative Guidelines.



Introduction

The purpose of the Elections Handbook is to help promote effective elections within the City of San Diego's recognized community planning committees. Council Policy 600-24, Standard Operating Procedures and Responsibilities of Recognized Community Planning Committees, is the guiding policy that frames the roles and responsibilities for all committees and their members. The City Attorney and City Planning and Community Investment departments have prepared Administrative Guidelines to help explain the Council Policy provisions and provide more detailed guidance to community planning committees. All committees have generated their own sets of bylaws that are tailored from Council Policy 600-24. Within the Policy statement of Council Policy 600-24, committees' bylaws must follow the format and be in conformance with the criteria of CP 600-24 as a condition of recognition. As self-governing private organizations, the planning committees have modified their bylaws to fit the uniqueness of their community planning areas.

An important component of committee bylaws is the procedure for the election of community planning committee members. In order to operate successfully with broad community participation, elections must reflect the integrity of the committee, the bylaws, Council Policy 600-24, and the membership. When the committee bylaws explicitly detail election procedures and contain contingency procedures for the broad spectrum of election nuances, elections are run smoothly and there is a seamless transition as the committee changes composition. Election procedures are more likely to be successful if a sincere effort is made by the planning committee to disclose election details early and to make the process open and accessible to the community.

The handbook is a collection of election details that have been collected from Council Policy 600-24 and the bylaws of the community planning committees. The discussion focuses on who the Council Policy recognizes – the 12-20 elected committee members. Some committees go on to identify a general membership category – discussions of eligibility for which are not discussed within the handbook. The handbook provides a glimpse of the spectrum of specificity that is contained within the bylaws of the community planning committees and provides staff advice based upon our election experience with all community planning committees.

One of the most important points for committee members to take from this handbook is that members should have a clear understanding of their bylaws. After the 2004 elections and upon review of the committee's bylaws, your committee may determine to strengthen election procedures and provide further details through bylaw augmentation and amendment. The ultimate goal is a smooth election, a seamless transition, and broad community participation.

Community Planning Committee Elections

Council Policy 600-24 requires that all bylaws include a procedure for election of committee members (Article VIII Section 1 (1)). Bylaws must incorporate requirements for planning committee candidacy, and clearly define general and elected membership and voting eligibility, including membership application or registration. Within the bylaws, a method of review of voter qualification as well as a method of cross-checking voting eligibility at the time of election must be included to eliminate qualification confusion. Pre-election procedures vary among the 42 planning committees. The Election Handbook depicts the spectrum of how different planning

committees structure their bylaws to address pre-elections procedures and membership qualifications, thus showing the range of specificity throughout the bylaws of all of the planning committees.

Pre-election Preparations

- **Member Eligibility Requirements**

Basic member eligibility requirements are the same for all 42 planning committees and are dictated by Council Policy 600-24. CP 600-24 states that community planning committee members shall be elected by and from eligible members of the community. To be an eligible community member, an individual must be at least eighteen (18) years of age, and shall be affiliated with the community as a property owner or resident or local business person with a business address in the community at which employees or operators of the business are located.

Eligibility may be further defined in committee bylaws. Some committees have gone on to have more specifically defined categories. It is fundamentally important to know from inception of the category how to qualify someone for this category. Community planning committee members shall to the extent possible, represent the broad community and diversified community interests. Most community planning committees have adopted this same language within their bylaws.

- **Soliciting new planning committee members/eligible candidates on an ongoing basis**

In order to ensure that meeting attendees understand the roles and duties of the community planning committee, the Chairperson can provide a brief introduction on the purpose and duties of the planning committee at the beginning of each meeting. The introduction assists individuals interested in participating in the planning committee with a clear understanding of the overall duties and purpose of the Committee. The introduction can include a brief statement of the overall purpose set forth by Council Policy 600-24 and the committee's bylaws as well as the planning area boundaries. As committee members introduce themselves, they can state their name, seat and, if pertinent, the area of the community they represent.

- **❖ Sample Chair Intro**

The ___[insert committee name]___ is the officially recognized land use advisory committee to the San Diego City Council. Our role is to review and provide recommendations to the City on land use and development-related projects and issues that fall within the [insert area name] Community Planning Area. While we are an advisory body we are not a decision-making body – we provide advice to City officials and decision-makers, the Planning Commission and City Council.

The [insert area name] community is made up of the neighborhoods bounded by... [provide general geographic description].

My name is [insert name] and I am the chair of [insert committee name]. All of the committee members are [residents, business owners, etc.] in the [insert name] area and elected by the community during general elections that are normally held in March. The other elected committee members will now introduce themselves.....

Many committees do not have eligibility requirements or attendance requirements or membership requirements for voting in a community planning committee elections. In general, voter eligibility in the committee elections is based upon proof of residency or a business address within the community at the time of the election. Committees without membership requirements have determined that planning committee voter eligibility should be no more restrictive than voter eligibility in a City election.

Where committees have membership requirements, membership forms can be made available at planning committee meetings. The forms need to clearly indicate eligibility categories according to the adopted bylaws. The forms can be placed on the sign-in table as individuals enter the room. In the event of a committee vacancy, membership forms can be included with the agenda in the monthly mail out. The bylaws can state which committee member will maintain the membership applications on file, or individual forms can identify to whom the form can be returned.

While not mandatory, a sign-in sheet can be utilized at each planning committee meeting. Sign-in sheet information is used to send monthly agendas to individuals interested in planning committee activities. The information is also used to determine eligibility for general membership and candidacy. Normally, it is the secretary's duty to maintain the sign-in sheets. When an election sub-committee is formed, the sign-in information is provided to the sub-committee for election purposes. If the applicable bylaws have attendance requirements for candidates, the sign-in sheets must include an area for the person's name, mailing address, email address and phone number to be used for contact purposes and establishing eligibility. As a note, privacy issues have arisen regarding these sheets and it is at the discretion of the committee to provide this information to the general public.

Candidacy requirements may be different from general membership requirements. The bylaws can clearly state attendance or eligibility requirements that go beyond general membership and voting requirements.

In summary, if the community planning committee has established a general membership category to which individuals need to belong in order to vote for elections of new community planning committee members, requirements for being a general member must be clearly written in the committee's bylaws.

- **Noticing regular elections to attract new planning committee members as candidates**

Actively noticing elections encourages broad community participation and attracts new candidates for planning committee membership. Noticing can reach a broad range of community interests and reach a wide geographical area. Individual committees may have specific criteria for qualification as a voter or as a candidate; therefore, early

noticing of the elections will inform the community of these procedures in time for their participation in the election. Council Policy 600-24 states that it shall be the duty of the community planning committee to make a good faith effort to contact community newspapers and utilize other means appropriate to their communities to publicize the elections (Article V Section 2). Other than the newspapers, the policy leaves it up to individual committee bylaws to provide additional provisions for the noticing of the elections.

The Administrative Guidelines, under the General Election Procedures (Admin. Guidelines Sec. 6), recommend that the election policies in the bylaws or in procedures are readily available to the public and presented consistently. Detailed instructions that can be distributed in writing will be useful to present to the public. There are a variety of avenues for noticing, including the local community newspaper, local home owners' association newsletters, and on the planning committee website. Information can also be dispersed through emails and server committees as well as through flyers posted in appropriate locations such as the local library, public meeting places, churches, recreation centers, community-based organizations or institutions. While assistance from the City Planning and Community Investment department is available through the community planner for the area, community planning committees know their communities and may determine the most effective measures to utilize in order to reach a broad range of people in the community to encourage participation in the election process.

If a committee has eligibility requirements, an excellent approach to ensuring that individuals are aware of such requirements for both candidacy and general membership is to start noticing the March election in the fall. Following are examples of how some community planning committee bylaws address noticing elections and general membership, a first step in candidacy qualification.

The **Greater North Park** committee includes election and voting information on the monthly agenda beginning in September of each year and also posts it on the North Park Community Association Website. The **Torrey Pines Community Planning Board** bylaws allow for posting of election notices on websites. The committee maintains its own website available for public access, which can be utilized to advertise elections. The **Linda Vista Community Planning Committee** bylaws provide for flyers to be posted announcing the upcoming Committee election in prominent places, as legally permitted, throughout the community; including notices of the election posted at the Linda Vista Library and at the community Bulletin Board in the Linda Vista Plaza. The **Clairemont Mesa Planning Committee** bylaws identify notices of elections to be posted at the Clairemont Friendship Center, the South Clairemont Recreation Center, the Clairemont Public Libraries and Churches as allowed. The **Eastern Area Community Planning Committee** bylaw provisions include noticing the elections in prominent places in the community, such as: Community councils, libraries, shopping centers, Chollas Lake Park, PTA meetings, community council newsletters and public service radio announcements, where possible. The **College Area Community Council** bylaws provide for the general membership to be notified of the date, time, and location of the election through the newsletter or other written notice mailed to the general membership at least fifteen (15) days prior to the election. The **Mission Beach Precise Planning**

Board bylaws indicate that the secretary provides notice in the community press requesting candidate nominations prior to the February meeting, and announcing member elections and candidates prior to the March meeting. The **Normal Heights Community Planning Committee** bylaw provisions include posting of notices at the regular meeting location and at the post office at least two (2) weeks prior to the election; and oral or written notification of business and community committees to the greatest extent practical. The **Midway Community Planning Advisory Committee** bylaws state to advertise the elections through mailing of flyers and posting notices in area businesses. Also, the **Southeastern San Diego Planning Committee** bylaws include the provision of noticing elections through direct mail notice to all general members.

- **Election Committee**

In general, pre-election procedures are tailored to the needs of each community planning committee through its bylaws or standing election procedures. Although not required, committees seem to function best when the work leading up to the election is distributed among the election committee members and does not fall to one person. Many bylaws state that members up for reelection cannot be selected to serve on the election committee. This is a good practice which helps the community planning committees maintain the appearance of a fair and balanced election and avoid the perception of impropriety and entrenched membership.

The bylaws can provide clear guidelines in relation to eligibility requirements, attendance requirements, membership application deadline, nominations from the floor, write-ins, as well as parameters to create an easily understandable ballot. Bylaws can clearly indicate the duties of the election committee and can specify how to deal with ballots, lists, and incumbents. The **San Ysidro Planning and Development Group** bylaws allow for a nominating committee, composed of members not up for reelection, to prepare a ballot of candidates from eligible persons, to announce the proposed ballot, and to accept qualified nominations from the floor. Nominations are then closed and the nominating committee disbanded, with election responsibilities turned over to an Election Committee.

aAccording to the **Uptown Planning Committee** bylaws, at the January meeting, the secretary reports to the planning committee the names of persons deemed automatically eligible for election at the following February meeting.

As the bylaws or election procedures state, the primary purpose of the election committee is to supervise the election preparations as well as the election itself. In order to have an effective election committee, individuals serving on the committee must have a clear understanding of the election process itself.

Both floor nominations, as well as write-ins, are allowed by many committee bylaws. An election committee's understanding of how nominations from the floor are handled and the process for writing in candidates is essential for the election procedures to run as smoothly as possible. In order to be eligible to run for a seat, the election committee must verify that a nominee has fulfilled the eligibility requirements set forth in the bylaws.

In conjunction with candidate eligibility, it is important for the election committee to understand the composition of the committee with respect to member term limits. As an exception to the eight or nine year limit of consecutive service, Council Policy 600-24 does allow for further consecutive service if the board's composition does not exceed 25 percent of termed out members and if the reelected member(s) receive two-thirds majority of the votes cast in a regular election. For further discussion of term limits and the exception, see Determining eligibility of candidates.

An important duty of the election committee includes the review of eligibility of candidates between the time a candidate applies to run and the date of the election. Eligibility must be monitored by the election committee in order to ensure that candidates on the ballot have maintained eligibility and the election runs smoothly. If a candidate becomes ineligible between the time of nomination and the election, the election committee must revise the ballots so voters clearly understand that the ineligible candidate is not a choice on the ballot.

Polling can take place at the regularly scheduled March meeting per the Council Policy (Article V Sec.1). The location must be accessible to all persons and be advertised well in advance of the election date through the avenues discussed in the previous section on noticing. If the bylaws or operating procedures stipulate that multiple polling times and locations are acceptable, it must be clearly identified how voters are tracked in order to avoid multiple ballots being cast by an individual voter.

Election committee members can reference the bylaws to determine what voting qualifications are required. In most instances, a form of identification is required in order to be eligible to vote. Ballots can be distributed to an individual only after eligibility as well as identity has been verified. Voting is done by secret ballot placed in a box, with the election committee monitoring to ensure voters their ballot have been cast in secrecy.

Election committee members should have a clear understanding on whether a plurality or majority of votes cast determines election of candidate (see Post Elections – Counting the ballots). Normally, a plurality of the votes determines the election. This should be stated at the start of the election to all voting members.

- **Determining eligibility of candidates**

Many bylaws include a requirement that defines membership seats by particular categories or geographic areas. The particular categories must be clearly defined to avoid controversy. For example, if a business representative from the community is required, the parameters of a business seat must be clearly defined in the bylaws. Bylaws can specifically outline meeting attendance requirements to ensure that both candidates and elected members understand the time they are committing to the planning committee. Membership application filing deadline can be incorporated into the bylaws as well as clearly stated on the membership application forms.

Council Policy 600-24 states that no person may serve on a committee for more than eight or nine consecutive years, but that after a one year break in service, the individual is

again eligible for election to the committee (Article III Sec. 4). An exception clause was added to the Council Policy in 1989, in order to allow committees with low community participation to continue to have representation with persons willing to serve in excess of eight or nine years. The bylaws can provide a clear understanding of the exception clause that is embodied within Council Policy 600-24. The clause states a committee member may serve in excess of eight or nine consecutive years if that person is reelected to a new term provided that they receive a two-thirds majority of the votes cast by eligible community members participating in a regular election. The number of individuals on a planning committee serving more than eight or nine consecutive years shall in no case exceed 25 percent of the voting committee membership. If there is broad based community participation in the elections and enough new, eligible candidates are on the ballot, use of the exception clause is not necessary. Persons who have served for eight or nine years can fulfill the Council Policy's break in service requirement, while allowing new individuals the opportunity to serve on the planning committee.

Candidate forums are encouraged at the beginning of the election so voting members have an opportunity to understand each candidate's qualifications. All candidates must be given equal opportunity and equal time to present their qualifications. Space could be made available on the February agenda to include written candidate statements for all candidates.

In no case shall a slate be created or provided to the elected or general membership prior or during the election. A "slate of candidates" occurs when candidate names, especially candidates up for reelection, are portrayed in a way that gives voters the impression that one single vote is a vote for all candidates on the slate.

Elections

- **Polling Locations and Times**

The Election Committee must provide ample notification of all election procedures. The times and locations(s) of the polls are dependent on the number of members of the Election Committee, the amount of time they can volunteer for the elections, and the estimated turnout for the election. Most elections occur during the regularly scheduled March meeting – with perhaps some time before and/or after for voting and tabulation purposes. When advertising the elections, the times and locations can be clearly stated.

Polling locations that are stipulated in bylaws or standard operating procedures ensure the Election Committee can announce polling sites and times well in advance of the elections, and that there are enough Election Committee members to handle multiple polling locations and times.

- **Ballot Clarity**

To reduce confusion and the opportunity for challenging the elections, the election committee must create a clear and simple ballot. The ballot must clearly state the number of open seats available and how many candidates to vote for. It can also state whether

voters can use pencils or pens when marking the ballot. The stipulation of pens only will help alleviate erasure interpretation when the ballots are counted. If there are category restrictions, candidates can be separated by categories.

Write-in restrictions can be clearly denoted on the ballot. If write-in candidates are allowed, space can be made available for a write-in and can clearly state any limitations pertaining to the write-in process. Ballots that are well written and easy to use will help to reduce election challenges by the public.

Election Committees are responsible for determining the validity of the ballots. While creating the ballot prior to the election, the Election Committee can determine what constitutes an invalid ballot. If a ballot is to be considered invalid due to voting for too many candidates, the ballot can boldly state how many candidates can be chosen. If a ballot has a write-in candidate and the bylaws state that write-ins are not accepted, the ballot can clearly state that write-ins will invalidate the ballot.

- **Verification of voter eligibility**

Group bylaws can stipulate identification requirements needed as proof of voter eligibility. Some bylaws only require proof of identity and address at the polls, while other bylaws can have prior certification restrictions. The **Torrey Hills Community Planning Board** bylaws state that the general election voting is open to General Members over eighteen years of age who meet voter qualifications and sign a roster with qualifying address to cross check voting eligibility.

- **Proxies and Absentee Ballots**

A proxy is the authority given by one person to another to vote in his/her stead. Per Robert's Rules of Order, proxy voting is incompatible with the essential characteristics of a deliberative assembly in which membership is individual, personal, and nontransferable. Council Policy 600-24 does not address proxy voting as it pertains to elections. The policy does state that "a quorum, defined as a majority of non-vacant seats of the planning committee and/or to vote on projects or actions at regular committee meetings must be present in order to conduct business." (Article VI, Section 2). Consequently, proxies (the authority of another person to act for an absent director) are not permitted during the transactions of the group meetings. Because planning groups abide by Council Policy 600-24, their bylaws, and the intent of Robert's Rules of Order, proxy voting in either elections or on agenda action items is not allowed. Unless specifically incorporated in a group's bylaws, proxies are not permitted for any actions a planning group may take.

Several planning groups do allow for absentee ballots. Often times, a small fraction of the general membership attend meetings on a regular basis. Because the election of committee members is an important issue for the planning group, an absentee ballot process can be authorized within the group's bylaws. It is important that the absentee ballot process is clearly understood by the Election Committee, and that information regarding absentee voting is disbursed to the general membership in a timely fashion.

The **Rancho Bernardo Community Planning Board** bylaws state that absentee ballots shall be provided by the Election Committee and notices published at least 21 days prior to election day as to availability of absentee ballots, where obtained and procedure for casting an absentee ballot. All absentee ballots are to be returned in a sealed envelope signed by the absentee voter and received by the Election Committee before the election date.

- **Closing the polling place(s)**

Prior to the close of elections, a general announcement should go out soliciting any outstanding ballots. If the election takes place during a regularly scheduled committee meeting, the Chairperson should announce the close of the elections and state that ballots will not be accepted after the polls close. Normally this should be done half way through the meeting in order to ensure adequate time for the counting of the ballots. If the bylaws state and the election committee has determined that there may be several polling locations, the date and time for the polls to be open and closed must be clearly publicized early in the election process. All ballots must be gathered into one place and counted all together, even if multiple polling times and places are used.

It can be made clear prior to the election who will be counting the ballots, and how many ballot counters will be needed based on the estimated turnout for the election. If there is an election committee established, it is often the members of the election committee that collect and count the ballots. No candidate can be present during the counting of the ballots.

Post-Election

- **Counting the Ballots**

The basic method for determining how many votes cast will determine the election of a candidate is a *plurality vote*, except where bylaws state otherwise. A plurality vote is the largest number of votes to be given any candidate. Determining election by a plurality of votes is the method most often used in community planning committee elections because there are three or more candidate choices possible. The candidate having the largest number of votes has a plurality and is declared the winner.

If bylaws state that a *majority vote* determines a candidate's election, majority means "more than half". A *majority vote* then means that a candidate will need to receive more than half of the votes cast to be declared the winner. If there are more than three candidates for a seat on the planning committee, a candidate would have to obtain more than half of the votes cast for that seat. For example, if 19 votes are cast, a majority (more than 9 ½) is 10. If 20 votes are cast, a majority (more than 10) is 11. If 21 votes are cast, a majority (more than 10 ½) is 11. If any seat(s) remains unfilled after the election because a candidate did not receive a majority vote, the balloting needs to be repeated as many times as necessary to obtain a majority vote for the seat(s). When repeated balloting for a seat is necessary, the names of all nominees are kept on the ballot. The nominee receiving the lowest number of votes is never removed from the

ballot unless the bylaws require such action, as the nominee may turn out to be a “dark horse” on whom voters may prefer to elect to the committee (Robert’s Rules of Order pages 425-427).

In the event that the number of votes cast for candidates for the same seat is close, a recount could be done to ensure the ballots cast for each candidate is accurate. In numerous bylaws, the task of counting ballots is the duty of the election committee, and may include City staff persons or council representatives. The counting is done at the regularly scheduled meeting, with the final determination of the legality of all ballots cast reported to the Chairperson who announces the results at the end of the planning committee meeting.

Council Policy 600-24 states that a committee member may serve in excess of eight or nine consecutive years if that person is elected to a new term provided that they receive a two-thirds *majority* of the votes cast by eligible community members participating in a regular election. New candidates or committee members seeking reelection and are not termed out may need only a plurality or simple majority of votes to be elected. The ballot counters need to have a clear understanding of determining the number of votes each candidate needs in order to be elected to the committee.

Very few committee bylaws address tie-breaking procedures, nor are they addressed in Robert’s Rules of Order as they relate to election of candidates. Prior to the election, the planning committee can establish a procedure for resolving a tie-vote situation. The **Centre City Advisory Committee** bylaws state a coin toss or the drawing of straws will determine the winner in the event of a tie vote, with both candidates having the opportunity to be present for the coin toss or drawing of straws.

Upon final verification of the count, the election committee reports the election results to the Planning Committee Chairperson, then certifies and publishes the results. A community planning committee’s election procedures can identify when ballots will be counted and the reporting, certification and notification of the results so that the planning committee and the community may know when to expect the results of the election. The **Rancho Bernardo Community Planning Board** bylaws state that the ballot counting, certification and notification process shall be completed within twenty-four (24) hours of the closing of the polls unless for good cause the election committee deems it necessary to extend the time, but in no event shall the counting, reporting, certification and notification process be delayed more than seventy-two (72) hours after the close of the polls. The **San Ysidro Planning and Development Group** bylaws state that following the close of elections, the Election Committee will count the ballots, report the results, seal and retain the ballots for ninety (90) days, and then disband.

The Chairperson is responsible for preparing and certifying the report of the election committee and ensuring that it is forwarded to the City Planning and Community Investment department. In order to contend with a contested election, the bylaws can assign who shall keep the ballots and for how long the ballots may be kept. The bylaws can state that an independent authority may review and verify the ballots.

- **Installation of new committee members**

Bylaws or election procedures can also state when newly elected committee members will be seated. Often times new committee members are not seated until the next planning group meeting. The seating of committee members as the first order of business at the meeting following the March elections allows for an uninterrupted planning committee meeting in March. This also allows time for the City Planning and Community Investment department staff to provide new committee members with community and financing plans so that they may become familiar with the documents prior to their first meeting. The **Normal Heights Community Planning Committee** bylaws state that newly elected Committee members shall be installed at the beginning of the April meeting. Installation at the beginning of the first meeting following the elections assures the earliest possible implementation of the election results.

Article IV of Council Policy 600-24 states that if vacancies exist on the committee, the vacancies shall be filled in a manner specified by the planning group's bylaws. If there are vacancies that exist on the committee at the time of an election, the bylaws can state that the planning group may have the vacancy identified on the ballot and solicit candidates to fill the seat for the duration of the vacated seat. This is consistent with Council Policy 600-24, Article IV, Section 2, which states that the term of office of any member filling a vacancy shall be for the balance of the vacated term. If the bylaws allow and the planning committee decides to fill a vacancy at the time of the March elections, this course of action can be clearly stated in the election procedures.

- **Unfilled seats**

If there are unfilled seats after an election, bylaws can establish the course of action. For most groups, a vacancy is declared, and the normal process for filling a vacancy is followed. An example of another course of action is found in the **Centre City Advisory Committee** bylaws which state that in the event there are an insufficient number of candidates elected to each category of membership, such seats may remain vacant until qualified candidates apply and a subsequent election is held.

- **Challenges to election procedures or to ballot tabulation**

The method of challenging an election can be clearly delineated in the group bylaws. The bylaws can clearly state the Election Committee responsibilities for handling challenges to the election. Remember, challenges may be a direct result of unclear election procedures, with elections not appearing to be open and orderly to voters, members, and the public. If challenges occur regularly, groups can consider bylaw revisions to include procedures for challenges. The best method for reducing or preventing challenges to elections is to have clear, detailed, and comprehensive election procedures.

- **New member responsibilities**

All newly elected committee members are required by City Council Policy 600-24 to attend a Community Orientation Workshop (COW) training session as soon as possible after the elections. The City Planning and Community Investment department hosts

several sessions throughout the year, with one scheduled for April 24, 2004 to train all newly elected committee members. The workshop focuses on members understanding the roles and responsibilities outlined in Council Policy 600-24, as your committee's actions are legally indemnified by your having attended this workshop and acting in accordance with Council Policy 600-24. It is important for members to understand that attendance at a COW session AND the continuance of valid operating procedures insures indemnification on authorized agenda items.

- **Roles of City Planning and Community Investment Department and City Attorney**

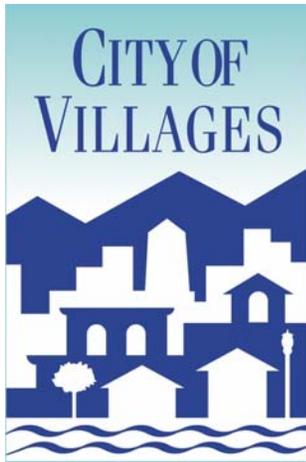
In the spirit of self-governance and committee credibility, community planning committees are responsible for the interpretation of their committee bylaws. The City Planning and Community Investment department is available to assist and to help frame bylaw interpretation at any time, but bylaw interpretation is ultimately the committee's responsibility. Ideally, questions and concerns regarding elections can be presented to the City Planning and Community Investment department in the late summer and early fall to ensure that issues are discussed and resolved early and prior to the March elections. At the request of the committee Chairperson, staff is available to meet with the Chairperson and Election committee in order to recommend resolutions to bylaw issues and concerns. If an issue cannot be resolved prior to the election, the City Planning and Community Investment department is always available to review and discuss election issues and potential solutions with the committee Chairperson and Election Committee. The City Attorney's office does not become directly involved in issues pertaining to the planning committees. Rather, the City Planning and Community Investment department consults the City Attorney's office for direction on a matter if it cannot be resolved by the planning committee working with the City Planning and Community Investment department.

Conclusion

The City Planning and Community Investment department, in close collaboration with a subcommittee of the Community Planners Committee, has prepared the Election Handbook to help facilitate balanced and effective planning committee elections. The handbook, a collection of election details gathered from Council Policy 600-24 and the committees' bylaws, provides both a range of current bylaw procedures and staff advice based upon our election experience with all community planning committees.

Every planning committee can experience smooth elections with an election committee that closely follows explicit election procedures and committee bylaws. Again, one of the most important points for committee members to take from this handbook is that members should have a clear understanding of their bylaws and election procedures. Supported by Council Policy 600-24, the committee's bylaws and election procedures, and good faith effort, the ultimate goal of an election with broad community participation and without controversy can be achieved by the recognized planning committees.

THE CITY LAND USE PLANNING PROCESS



General Plan Update

The General Plan update began with City Council adoption of the Strategic Framework Element of the General Plan on October 22, 2002. The Strategic Framework Element sets forth the City of Villages strategy to address the challenges of growth and improve quality of life. New growth is to be targeted in mixed-use village centers in order to create lively activity centers, provide housing, preserve existing low density residential neighborhoods, improve walkability, and help support a state-of-the-art transit system.

The Strategic Framework Element provides policy direction to protect the natural environment, increase housing affordability, enhance neighborhoods, increase mobility, create economic prosperity, provide for equitable development, and provide public facilities. These and other policies have been further developed in the proposed ten elements of the updated General Plan, including a new Land Use and Community Planning Element which will provide a framework for the preparation and content of community plans.

The General Plan is based upon the following vision and core values that together provide the foundation for the General Plan as a comprehensive plan for the City of San Diego's evolution in the next twenty-plus years.

Vision

We have a special role as stewards of a remarkable resource, a city on the Pacific of great cultural and physical diversity. In the 21st century, San Diego must continue to evolve in harmony with its exceptional natural environment, always treasuring the unique character of its neighborhoods, striving for equity, and celebrating the rich mosaic that is San Diego.

Core Values

The core values will help preserve and build on what is good in San Diego. The core values were conceived with the guidance of the Strategic Framework Citizen Committee during multiple community meetings.



Our Physical Environment

We Value:

- The natural environment
- The City's extraordinary setting, defined by its open spaces, natural habitat and unique topography
- A future that meets today's needs without compromising the ability of future generations to meet their needs
- The conservation, preservation, and environmental quality of natural resources
- Parks and public spaces, accessible by foot, transit, bicycle, and car, as areas for neighborhood, community and regional interaction and convenient recreation
- The availability of public facilities, infrastructure, transit, information infrastructure, and services as essential to neighborhood quality and as necessary companions to density increases
- A compact, efficient, and environmentally sensitive pattern of development
- Walkable communities with tree-lined streets
- A convenient, efficient, aesthetically pleasing, and multi-nodal transportation system

Our Economy

We value:

- The health, economic prosperity, and well-being of our citizens
- A diverse economy to achieve a rising standard of living for all San Diegans
- Mutually beneficial cultural and economic ties with Mexico and our neighbors in Latin America
- Regional coordination to resolve growth issues, and regional collaboration to meet economic prosperity goals

Our Culture and Society

We Value:

- Social equity
- Safe and secure neighborhoods
- The physical, social and cultural diversity of our City and its neighborhoods
- Housing affordability throughout the City and an overall diversity of housing types and costs
- Schools as an integral part of our neighborhoods and equitable access to quality educational institutions
- The City's multiplicity of arts, cultural, and historical assets



GENERAL PLAN UPDATE TIMELINE OVERVIEW

October	2002	City Council adopted Strategic Framework Element and Action Plan
February	2003	Land Use and Housing Committee (LU&H) approves General Plan Update Work Program
April	2005	Public Review of the General Plan Discussion Draft
May & June	2005	Presentations provided to community planning groups
July	2005	Draft General Plan released
March	2006	Workshops held at Planning Commission (PC) and LU&H
May - August	2006	Release of the revised draft; PC & LU&H Workshops
October	2006	Final Public Review Draft release
December	2006	Housing Element Update adopted
April	2007	Program EIR out for public comment
June	2007	Draft PEIR comments due
August	2007	Planning Commission hearing
September	2007	LU&H
October	2007	City Council hearing (tentative)

The General Plan Update effort involves incorporating and refining Strategic Framework Element and citywide policies into the General Plan, consolidating the existing fourteen elements into ten, and formatting the document so that it is easy to read and web-friendly. The following table summarizes the elements and issues addressed.

GENERAL PLAN UPDATE ELEMENTS AND ISSUES ADDRESSED

GENERAL PLAN ELEMENT	ISSUES ADDRESSED
Land Use and Community Planning– <i>New</i>	Villages Characteristics Map/Locational Criteria Annexations Seven Land Use Categories Community plan format and preparation Plan amendment process, Environmental Justice, Equitable Development Standardized Land Use Designations
Housing (Produced separately)	Housing Supply
Economic Prosperity- <i>New</i> (combine Commercial, Industrial, Redevelopment elements)	Collocation policy, commercial and industrial designations, preserving industrial land, equitable development
Mobility (Circulation)	Multi-modal congestion strategies, parking policies, transit priorities, financing
Public Facilities, Services, and Safety	Updated standards and guidelines New facilities phasing New priorities for financing
Conservation (Open Space, Conservation, Energy Conservation elements)	Resource conservation, pollution prevention, water quality and habitat protection



GENERAL PLAN UPDATE ELEMENTS AND ISSUES ADDRESSED

GENERAL PLAN ELEMENT	ISSUES ADDRESSED
Urban Design	Urban form, design for walkability, public spaces and civic architecture, mixed-use, commercial, office, industrial, residential design guidelines
Recreation (Open Space, Recreation, elements)	Standards/options/guidelines Diversity, preservation, accessibility, joint use – open space – resource parks
Historic Preservation	Protection and enhancement of historic and cultural resources Public participation and education as part of the preservation effort
Noise (Circulation)	Airports Mixed-use development Mitigation measures Noise Abatement

GENERAL PLAN WORK PROGRAM PROGRESS

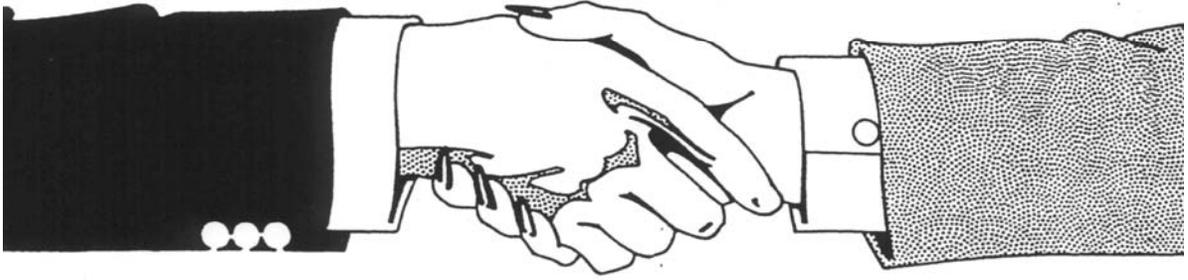
Since July of 2005, when the first public review draft of the General Plan was released, significant progress has been made which includes the following:

- Numerous public meetings and workshops have been held since July 2005, and e-mail notices distributed as a part of the drafting of the General Plan
- The five Pilot Villages projects selected by the City Council are proceeding along and are at varying stages of the planning and development process
- Staff has met extensively with the Community Planners Committee (CPC) and the CPC General Plan Subcommittee on the July 2005 Draft of the General Plan
- Planning Commission and Land Use & Housing Committee Workshops were held in March 2006 and additional hearings through to August 2006
- The second public review draft of the General Plan is distributed in May of 2006
- A final public review draft was distributed to the public in October of 2006
- From January through June 2007, has worked with the Community Planners Committee to review each of the plan elements
- On April 26, 2007, staff completed the General Plan Update Draft Programmatic Environmental Impact Report (PEIR) and released it for public comment

Public Involvement

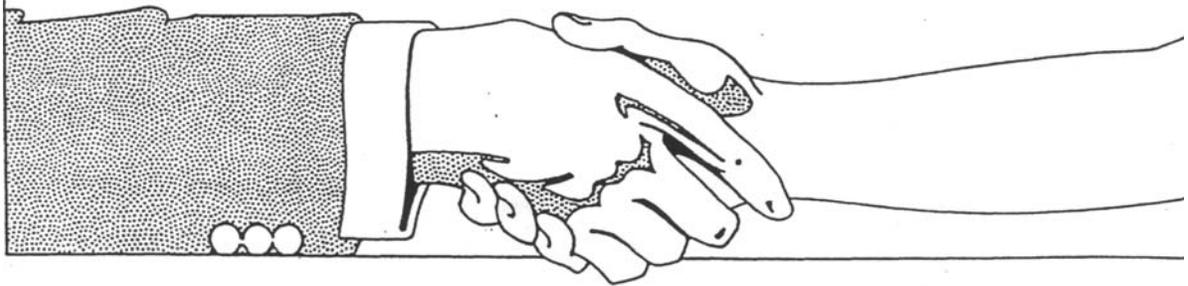
Information about the General Plan Update, City of Villages Strategy and the Action Plan can be found online at www.sandiego.gov/planning/genplan. Citizens can also call the Planning Department at (619) 235-5200, or the General Plan Hotline at (619) 235-5226.





THE COMMUNITY PLANNING PROCESS

A guide for the Citizen
2000



INTRODUCTION

Since its incorporation in 1850. San Diego has experienced steady growth. The need to plan for and to guide this growth has always been the responsibility of city government and citizens working together. In 1966, the City Council formalized this government-citizen relationship with the adoption of Council Policy 600-5. Under this policy, citizens who wish to participate in the planning process are able to form officially recognized planning committees. These committees work with the Planning Department to formulate and implement community plans and to advise the Planning Commission and the City Council on planning issues in their respective communities.

In an effort to assist planning committee members and other interested citizens in understanding the planning process, this report outlines some basic information. The following pages explain, in brief, the nature of community plans, the preparation of plans and the ways in which plans are implemented. The respective roles of city government and the planning committees and their relationship to each other is explained.

WHAT IS A COMMUNITY PLAN?

A community plan is a public document which contains specific proposals in a given community for future land uses and public improvements. The community plan provides a long-range physical development guideline for elected officials and citizens engaged in community development. The community plan recommendations are, however, guidelines which cannot be implemented by the adoption of the plan alone. Concurrent with or subsequent to plan adoption a series of Implementation programs must be begun if the recommendations of the plan are to become reality. Zoning controls, a public facilities financing plan, the Capital Improvements Program, and monitoring of new development projects by the community and the City are all methods of Implementing community plans. These and other implementation methods are explained later in this document.

WHAT IS ZONING?

Zoning is the legislative method by which land use, intensity of development, and site design and architectural design are controlled. Some zones apply to all or many parts of the City while other zones, called planned districts, apply only to very specific sections of the City. This specialized zoning addresses issues of land development which are specific to the area designated as a planned district. A third type of zoning, called "overlay zones", add special regulations to the regulations of the underlying zone. The Hillside Review Overlay Zone and the Institutional Overlay Zone are two examples of this type of zone. All types of zoning promote the grouping of land uses which are compatible to one another and control development so that property can be adequately serviced by public facilities.



WHAT ARE THE CHARACTERISTICS OF A COMMUNITY PLAN?

A community plan must be all of the following:

- 1. COMPREHENSIVE:** The plan should address all aspects of community development including: housing: transportation: commercial and industrial development; public facilities, such as schools, parks, libraries: urban design or the image of the community, and environmental issues, such as noise, hillside preservation, control of runoff and erosion.
- 2. LONG-RANGE:** The plan should make recommendations which guide development over a long period of time. Development of a community is a process which takes many years and which is an ongoing process. The plan must be based on not only what the community is today, but what development factors will likely occur in the future.
- 3. RELATED TO THE ENTIRE CITY:** Any community is only one segment of the City as a whole. The community plan must address not only issues within the community, but also citywide issues as they relate to the community. No community exists separately from neighboring communities or isolated from the rest of the City. The Progress Guide and General Plan provides the outline for development of the City as a whole, and each community plan must work within this outline to guide development in the individual communities.
- 4. A VISION OF THE FUTURE:** As San Diego grows, so does each of its component communities. The plan must be a guide for that growth. While the plan is based on existing conditions in the community, it cannot be a document which does no more than reflect the status quo. The planning process is based on the assumption that change will occur (as is inevitable in any urbanized society), and the plan must be a document that envisions what those changes will be. The plan must be a document which guides the community toward the future.
- 5. IMPLEMENTABLE:** As stated earlier, the plan itself does not control development in the community. The recommendations of the plan must be implemented through the Zoning Ordinance, the Capital Improvements Program, a Public Facilities Financing Plan, monitoring of new projects, etc. The plan must identify what implementation methods are needed and must include recommendations for any new legislation which might be necessary to implement the plan.

THE PLANNING PROCESS

When preparing a community plan, several steps should be followed to develop recommendations which best guide the future development of the community. Community members and members of the Planning Department work together through these logical steps to develop the plans. While the community planning group provides invaluable information to the Planning Department staff to prepare the community plan document, the compilation by the Planning Department of all information including, but not limited to, the information provided by the community planning committee, is essential if an effective community plan is to be achieved. The following are the essential steps for the preparation of a community plan:



1. FORMULATION OF GOALS AND OBJECTIVES

- a. An overall goal for the future of the community is established. This goal should be a vision statement of how the community develops in the coming years. The established goal will be the guide for all of the recommendations of the community plan, and its formulation is an important community function..
- b. Goals for each land use element of the plan are established. These goals are specific to each of the land use elements and support the overall community goal. The formulation of these goals is also an important function of the planning committee.
- c. The objectives of the community plan are defined. Objectives are sets of specific desired effects or results, or statements of intent, necessary for the community to pursue in order to achieve the goals of the plan. The objectives are in turn achieved through the specific recommendations of the plan.

2. RESEARCH

- a. Existing conditions in the community are identified. Population data, existing land use information, public facilities needs and opportunities for growth in the community must be identified. This is primarily the function of Planning Department staff using recorded data, field investigation and input from other City departments and government agencies.
- b. Existing conditions in the community are compared and related to the City as a whole. The Planning Department staff evaluates the community as a part of the City to ensure that the community plan is an integral part of the citywide planning process and includes implementation of citywide policies.

3. DEVELOPMENT OF PROJECTIONS AND RECOMMENDATIONS

- a. The appropriate level of development to be recommended for the community in the future is determined. The Planning Department together with community members, property owners and other interested persons and agencies, must determine how much and where the community should grow. Existing conditions data as well as citywide and community expectations for growth are analyzed to determine how the community should change and what must be done within the context of the community goals to accommodate that change.
- b. Recommendations are developed to channel growth. Based on input from the community, property owners, other City departments and agencies, the Planning Department staff develops recommendations for changes in land use, transportation and public facilities. These recommendations are designed to guide growth and change in the community into the future.



4. PLAN DRAFT PREPARATIONS AND REVIEW

- a. Planning Division staff prepares a first draft of the community plan. This draft includes issues, goals and objectives, existing conditions, recommendations for location and intensities of land use and public facilities needs, as well as implementation methods.
- b. The plan draft is distributed to the community planning committee. City departments and other interested government agencies. The draft is discussed, reviewed and requests for revisions or issues with the plan draft are submitted in written form to the Planning Department.
- c. An environmental review of the draft by the City determines whether or not any of the plan recommendations will have an environmental impact on the community or the City. If there are environmental impacts, an Environmental Impact Report will be prepared which will identify mitigation measures that may be necessary to adopt the plan. If there are no environmental impacts, a Negative Declaration will be prepared.
- d. All recommended revisions or issues raised are investigated and considered, and the Issues are addressed to the extent possible in a second draft which is also distributed and reviewed. Additional drafts may or may not be necessary, depending on the number and complexity of issues in each individual community.

5. PUBLIC HEARINGS & ADOPTIONS

- a. A public hearing before the Planning Commission is scheduled to discuss the draft plan. Notices are usually mailed to all property owners within the community as well as property owners outside the community whose property is within 300 feet of the community boundary. Notices are also published in a designated newspaper of general circulation.
- b. Public testimony is given before the Planning Commission with discussion and response by the Planning Commission and Planning Department staff. The Planning Commission may refer the plan back to the Planning Department for changes or may recommend that a City Council hearing be set and that the City Council approve the plan.
- c. A City Council hearing is scheduled by the City Clerk and notices are sent in the same manner as for the Planning Commission hearing.
- d. Public testimony and discussion occur at the City Council hearing, and the City Council may refer the plan back to the Planning Department for changes or may approve the plan. If the plan is referred back for changes, a second City Council hearing must be held - once the City Council approves the plan. It is adopted and may not be amended except by the City Council through the public hearing process.



6. IMPLEMENTATION

- a. Zoning in the community should be in conformance with the recommendations of the plan. Zoning is revised to conform to the plan either at the time of the adoption of the plan or a plan update, or soon thereafter. Since zoning is usually the most widespread tool used to implement the plan, it is very important that zoning conform to the recommendations of the plan. It is also very important that zoning be brought into conformance with the plan in as timely a manner as possible if the plan is to be effectively implemented.
- b. Special land use regulations such as planned districts or overlay zones may also be used to implement a plan. These special regulations may be used instead of conventional citywide zoning or in addition to citywide zoning. Special regulations are used to implement plan recommendations that require special attention and which cannot be fully implemented through conventional zoning regulations.

Special regulations may require that a discretionary permit be granted by the City. Such a permit may be approved or disapproved depending on an applicant's ability to meet design or improvement expectations of the community plan, such as providing open space areas which directly benefit the community and the City. Discretionary permit proposals may be reviewed by the planning committee which then makes a recommendation to the City regarding the proposal. The City, the applicant, and the community may not always agree about discretionary permit proposals, but reaching compromise solutions is one aspect of the planning process.

- c. Plan amendments are sometimes applied for by property owners or proposed by the community. Any change to the community plan must go through the same analysis/review/public hearing process that the original plan went through. At this time, the processing of plan amendments is guided by Council Policy 600-35 which requires a cumulative impact analysis of all proposed amendments. Consequently, plan amendments are grouped according to sectors of the City, and all of the proposed amendments within each sector are heard together.
- d. Public Facilities Financing Plans are prepared to outline the major public facilities improvements needed in a community and to establish a schedule for the construction of those facilities. The plan also outlines the costs of the facilities and frequently sets up funding sources to pay for land acquisition, design and construction. Money may be paid into a fund, called a Facilities Benefit Assessment fund, through the collection of development fees which are paid as part of new construction permit fees. Public facilities financing plans are prepared for all communities.

CONCLUSION

The planning process is an ongoing process. Although the preparation of the plan document usually takes one to two years, the implementation of the plan continues over a period of many years. Once a plan is adopted, the community planning committee and the City must make sure that development projects adhere to the plan recommendations and that the plan continues to be a



valid projection of the future. The community planning committee and the citizens of the community in general must take the lead in advising the City over the years regarding the effectiveness of the plan. Continuity within the planning committee is very important and the planning committee and Planning Department staff must work to educate and train new planning committee members. Every member of a planning committee should be aware of what his or her role is in the planning process and should understand what is involved in the planning process. This guide is intended to be a part of this training.

SUMMARY

Role of the Planning Committee

1. FORMULATION OF GOALS AND OBJECTIVES

- Study alternative goals and objectives
- Establish general and specific goals and objectives

2. RESEARCH

- Review data
- Advise staff of specific problems
- Review land use assumptions
- Evaluate implications of assumptions
- Inform public at large
- Encourage citizen participation

3. DEVELOPMENT OF PROJECTIONS AND RECOMMENDATIONS

- Recommend future levels of development which are appropriate to community needs and which fulfill the vision which the community has of itself for the future
- Develop corresponding recommendations to channel growth at appropriate levels

4. PLAN DRAFT PREPARATION AND REVIEW

- Review draft and identify points for discussion
- Meet with Planning Department staff to discuss draft and ask questions
- Suggest modifications to plan draft

5. PUBLIC HEARINGS AND ADOPTION

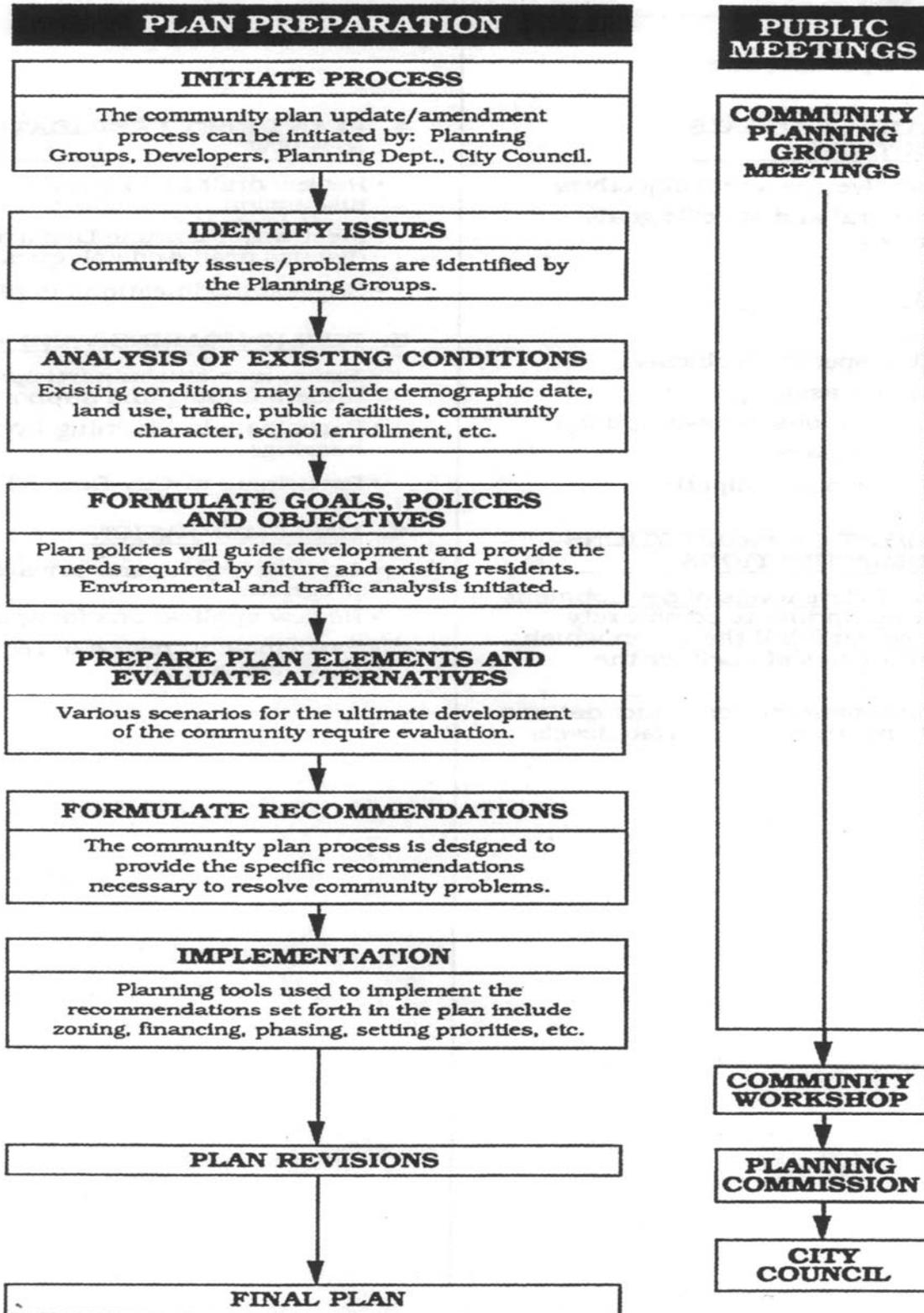
- Encourage citizen participation, understanding and support
- Participate in Planning Commission hearings
- Participate in City Council hearings

6. IMPLEMENTATION

- Promote public and private action programs
- Review applications for specific projects
- Participate in review of requests for plan amendments



COMMUNITY PLANNING PROCESS



FACILITIES FINANCING

What are Facilities Benefit Assessments and Development Impact Fees?

Since 1980, the City Council has adopted legislation establishing fees on new development as a way to assure that needed public facilities will be provided both in urbanized and planned urbanizing communities in the City of San Diego.

Building permits involving new or additional development can be issued for most residential and non-residential projects only after applicants pay a Facilities Benefit Assessment (FBA) or a Development Impact Fee (DIF). The amounts collected vary by community since they are based on the facility needs of each community. In some cases payment of fees may be deferred until final inspection.

Facilities Benefit Assessments are collected in the **planned urbanizing communities**. Assessments are typically levied to finance libraries, fire stations, parks, police stations, and transportation facilities within each community. Commercial, industrial, and institutional fees in the planned urbanizing areas are based on total acreage of a development. An exception is North University City, where FBAs are based on the average daily trips generated by a project.

Development Impact Fees are also collected in the **urbanized communities**

and typically include components for transportation, fire, police, park and library facilities.

Commercial and industrial DIF fees are collected for fire and transportation facilities. Calculations for the fire portion of the DIF fees are based on the square footage of a project. Calculations for the transportation portion of the DIF fees are based on the expected traffic generation of the project, with “per trip” rates.

The fees are applicable only on additional development; that is, a net increase in residential units, increased building area, or a change in use resulting in higher trip generation.

Fees can be paid at the Development Services Center, 1222 First Avenue, when the building permit is issued. Requests for fee deferral until occupancy may be granted in certain cases. Please contact the office listed below for further information:

**City Planning and Community
Investment Department,
Facilities Financing Section**

(619) 533-3670



**COMMUNITY PLANNING AREAS
BY CATEGORY**

URBANIZED

Barrio Logan
Centre City
Clairemont Mesa
College Area
Golden Hill
Kearny Mesa
La Jolla
Linda Vista
Mid-City
Midway/Pacific Highway Corridor
Mission Beach
Mission Valley
Navajo
Greater North Park
Ocean Beach
Old San Diego
Otay Mesa-Nestor
Pacific Beach
Peninsula
San Ysidro
Serra Mesa
Skyline/Paradise Hills
Southeast San Diego
Torrey Pines
University South
Uptown

PARK PLANS

Balboa Park
Los Peñasquitos Canyon Preserve
Mission Bay Park
Mission Trails Regional Park
Tecolote Canyon

PLANNED URBANIZING

Carmel Mountain Ranch
Carmel Valley*
East Elliott
Fairbanks Ranch Country Club
Miramar Ranch North
Mira Mesa*
North University City*
Otay Mesa
Rancho Bernardo
Rancho Peñasquitos*
Sabre Springs*
Scripps-Miramar Ranch*
Sorrento Hills – Torrey Hills
Tierrasanta*
Via de la Valle

FUTURE URBANIZING

Del Mar Mesa (Subarea 5)*
Subarea 2
San Dieguito River Basin
San Pasqual

PHASE SHIFTED COMMUNITIES

Black Mountain Ranch (Subarea 1)*
Pacific Highlands Ranch (Subarea 3)*
Torrey Highlands (Subarea 4)

*Facilities Benefit Assessment (FBA)
Communities



California Government Code 66000 Guidelines

Development Impact Fees (As opposed to Facilities Benefit Assessments) are governed by the California Government Code 66000. These fees are assessed primarily in the urbanized areas of the City. The major points of this code as they apply to the City's impact fees are provided below.

The City must:

1. Identify the purpose of the fee;
2. Identify the public facility to be funded;
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed;
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed;
5. Deposit the fees in a separate earning fund;
6. Provide an annual report showing the amount of the fee; beginning and ending balance of each fund; total fees collected including interest earned; and list each public improvement on which fees were expended.

If money remains in the fund after five years from the collection date and certain findings aren't made then the money shall be refunded.

City of San Diego Ordinance O-15318 Guidelines

Facilities Benefit Assessments are governed by the City of San Diego Ordinance O-15318. This is the procedural ordinance for financing public facilities in planned urbanizing areas of the City. This ordinance was adopted August 25, 1980. The major points of this ordinance are provided below.

The City must:

- 1) Designate areas of benefit and provide a diagram of the designated area
- 2) Provide an implementation program or a financing plan with respect to the proposed capital projects
- 3) Describe and provide estimated total costs for each project
- 4) Provide a capital improvement program establishing a schedule for the timing of the project construction
- 5) Provide the method by which costs are apportioned and the estimated cost by parcel in each area of benefit
- 6) Provide the basis and methodology for automatic annual increases
- 7) Place liens on the property for the proposed assessment due at building permit issuance

Fees are deposited in a separate interest earning fund for each area of benefit.



Development Fees



This brochure outline fees which the Facilities Financing Section of the Planning Department collects as part of the costs of land development in the City of San Diego. Facilities Benefit Assessments (FBA) or Development Impact Fees (DIF) are charged for development in all planned urbanizing and urbanized communities within the City of San Diego. A developer usually pays one or the other (FBA or DIF), not both. This money is used by the City to provide needed public facilities such as streets, libraries, parks, and fire stations. The fees must generally be paid to the Information and Application Services Division of the Development Services Department prior to the issuance of a building permit.

The Facilities Financing Section also assesses Housing Impact Fees. These fees were adopted by Ordinance O-17454 on April 16, 1990. This fee is applicable on new construction, additions or interior remodeling to accommodate a change from the structure's current use. These fees are only applicable on non-residential development. These fees were established to meet, in part, the affordable housing needs of San Diegans.

If you have any questions about any of these fees, the last page of the brochure contains a list of the Facilities Financing Section personnel who will help you.



**FEES ARE SUBJECT TO CHANGE PER UPDATE PROCESS.
CHECK WITH FACILITIES FINANCING PROJECT MANAGER FOR CURRENT FEES.**

FISCAL YEAR 2007 FACILITIES BENEFIT ASSESMENT OR DEVELOPMENT IMPACT FEE									
April 25, 2007	Single Family Unit	Multi-Family Unit	Commercial Acre	Industrial Acre	Institutional Acre	Commercial/Indus'l		SPF Single-Family	SPF Multi-Family
COMMUNITY	Trans\$/ADT	Fire\$/1000 SF	GBA						
Planned Urbanizing Communities									
Black Mountain Ranch	47,776	33,443	15,814 (a) (b)	8,229 12,020 (a)	158,130	-	-	-	-
Carmel Mt. Ranch	-	-	-	-	-	-	-	-	-
Carmel Valley - N	20,364	14,255	75,550	70,256	72,699	-	-	-	-
Carmel Valley - S	20,364	14,255	75,550	70,256	72,699	-	-	-	-
Del Mar Mesa	80,270(c)	56,189	165,356	-	-	-	-	-	-
Fairbanks Ranch	15,018	10,513	46,531	-	-	-	-	-	-
Miramar Ranch North(d)	-	-	-	-	-	-	-	-	-
Mira Mesa	24,577	17,204	152,132	53,332- 69,799	-	-	-	-	-
North University City	16,229	11,361	-	-	-	1,093(e)	-	-	-
Otay Mesa (f)	13,610	9,527	78,260 106,060	27,220 27,132	-	-	-	-	-
Pacific Highlands Ranch	66,460 45,194 (g)	46,524	536,207	357,468	190,648	-	-	-	-
Rancho Bernardo	301/201(h)	301/141(h)	2,106	602	-	-	-	1,366/641(h)	954/449(h)
Rancho Encantada	2,450	1,715	-	-	-	-	-	-	-
Rancho Peñasquitos	19,997	13,998	119,982	-	-	-	-	-	-
Sabre Springs	3,887	2,721	680(a)	343(a)	-	-	-	-	-
San Pasqual	1,680	1,176	-	-	-	168	-	-	-
Scripps Miramar Ranch	26,125	18,288	102,253	61,642	35,276	-	-	-	-
Tierrasanta	5,105	3,573	27,427	15,315	-	-	-	-	-
Torrey Highlands (m)	85,793	60,057	153,569- 517,332(i)	461,464	128,690	-	-	-	-
Via de la Valle	3,196	-	-	-	-	-	-	-	-
Urbanized Communities									
Barrio Logan	920	920	-	-	-	51	-	-	-
Centre City	3,970	3,970	-	-	-	1,700	320	-	-
Clairemont Mesa	4,261	4,261	-	-	-	42	105	-	-
College Area	2,484	2,484	-	-	-	175	-	-	-
Golden Hill	8,124	8,124	-	-	-	115	221	-	-
Kearny Mesa	7,536	7,536	-	-	-	61	66	-	-
La Jolla	4,794	4,794	-	-	-	171	148	-	-
Linda Vista	1,788(j)	1,788(j)	-	-	-	98	188/91(k)	-	-
Mid City	2,417	2,417	-	-	-	75	5	-	-
Midway/Pacific Highway	6,526	6,526	-	-	-	842	15	-	-
Mission Beach	1,590	1,590	-	-	-	148	-	-	-
Mission Valley	11,621	11,621	-	-	-	251	323	-	-
Navajo	2,162	2,162	-	-	-	152	-	-	-
North Park	4,080	4,080	-	-	-	62	115	-	-
Ocean Beach	3,063	3,063	-	-	-	188	268	-	-



April 25, 2007

FISCAL YEAR 2007 FACILITIES BENEFIT ASSESMENT OR DEVELOPMENT IMPACT FEE

COMMUNITY	Single Family Unit	Multi-Family Unit	Commercial			Commercial/Indus'l		SPF Single-Family	SPF Multi-Family
			Acre	Industrial Acre	Institutional Acre	Trans\$/ADT	Fire\$/1000 SF GBA		
Old San Diego	4,582	4,582				615	277	-	-
Otay Mesa-Nestor	9,957	9,957	-	-	-	89	1	-	-
Pacific Beach	2,431	2,431	-	-	-	46	120	-	-
Peninsula	3,020	3,020	-	-	-	146	114	-	-
San Ysidro	3,486	3,486	-	-	-	69	72	-	-
Serra Mesa	6,516	6,516	-	-	-	226	587	-	-
Skyline/Paradise Hills	5,632	5,632	-	-	-	123	230	-	-
Southeastern San Diego	5,559	5,559	-	-	-	290	70	-	-
Tijuana River Valley	3,486	3,486	-	-	-	69	72	-	-
Torrey Pines	9,180	9,180	-	-	-	327	-	-	-
South University City	1,778	1,778	-	-	-	91	-	-	-
Uptown	7,665	7,665	-	-	-	119	74	-	-

Key:

SPF - Special Park Fee ADT - Average Daily Trip
 SF - Square Foot GBA - Gross Building Area
 DIF - Development Impact Fee FBA - Facilities Benefit Assessment

Notes:

- (a) Assessment per 1,000 sq. ft. of Building Area
- (b) Hotel Rate = \$20,447/Room, Golf Course Rate = \$1,802,127/Course
- (c) AR-1-2 (New Land Use Code) Zone Single Family - \$75,454
- (d) Fee Dependent on Development Agreements. Check with Project Manager.
- (e) Applies to Commercial & Industrial development in the North University City Community area.
- (f) Otay Mesa is divided into West and East Sub-Areas. Facilities Benefit Assessment may be prorated for interim land use developments.
- (g) Del Mar Highlands Estates ONLY.
- (h) Vista del Lago ONLY
- (i) Local Mixed Use - \$475,754 per acre (net of residential area)
- (j) Includes \$91 per DU for the Linda Vista Community Center
- (k) An addition of \$91 per 1,500 sq. ft. of Commercial Building Area will be allocated to the Linda Vista Community Center
- (l) Credit against DIF is given for SPF.
- (m) Excludes Fairbanks Highlands.

**Schedule of Interim Development Impact Fees
 For Subarea II of the North City Future Urbanizing Area***

	LAND USE	FY 2007 FEES
Estate Home (Density of 1, or fewer, per acre)		\$29,011 per unit
Single Family Detached	\$24,176 per unit	
Multi Family Attached	\$16,923 per unit	
Commercial		
a. Retail		\$51,345 per 1000 sq. ft. of Gross Building Area
b. Office		\$21,066 per 1000 sq. ft. of Gross Building Area
c. Employment Center	\$16,020 per 1000 sq. ft. of Gross Building Area	
d. Service		\$26,113 per 1000 sq. ft. of Gross Building Area

* These fees will be in effect until a Public Facilities Financing Plan is approved by Council.

**CITYWIDE HOUSING IMPACT FEE
 Rates Effective July 1, 1996**

These fees are deposited into the San Diego Housing Trust Fund to meet, in part, affordable housing needs in San Diego. The fees are collected for non-residential development and must be paid to the Planning Department prior to the issuance of a building permit. Fees subject to annual adjustment.

Type of Use	Fee Per Square Foot	
Office	\$1.06	
Hotel.	\$0.64	
Research & Development	\$0.80	
Retail	\$0.64	
Manufacturing	\$0.64	
Warehouse		\$0.27

Note: Some exemptions may apply for Enterprise Zone and Redevelopment Areas.

These fees can be paid at the Development Services Center (formerly City Operations Building), 3rd Floor, 1222 First Avenue, when the building permit is issued. Please contact the offices listed below for further information concerning.

- Fees for Specific Projects
- Facilities Financing (619)533-3670
- (Project Manager Community Assignments Listed on Back Page)
- Copies of the Ordinance
- City Clerk (619)533-4000
- The Housing Trust Fund / Housing Commission (619)578-7582



**CITY PLANNING & COMMUNITY INVESTMENT
FACILITIES FINANCING SECTION**

Charlene Gabriel
(619) 533-3670
facilitiesfinancing@sandiego.gov

Program Manager

Pamela Bernasconi
(619) 533-3670
facilitiesfinancing@sandiego.gov

Supervising Project Manager

John Tracanna
(619) 533-3670
facilitiesfinancing@sandiego.gov

Supervising Project Manager

Project Managers

Angela Abeyta
(619) 533-3674
aabeyta@sandiego.gov

Vicki Burgess
(619) 533-3684
vburgess@sandiego.gov

Marco Camacho
(619) 533-3686
mcamacho@sandiego.gov

Frank January
(619) 533-3699
fjanuary@sandiego.gov

Evelyn Lee
(619) 533-3685
elee@sandiego.gov

Cheryl Robinson
(619) 533-3679
crobinson@sandiego.gov

Megan Sheffield
(619) 533-3672
msheffield@sandiego.gov

Charlette Strong
(619) 533-3683
cstrong@sandiego.gov

Community Responsibilities

Black Mountain Ranch , Carmel Mountain Ranch, Miramar Ranch
North, Rancho Encantada, Scripps Miramar Ranch

Barrio Logan, Golden Hill, Greater North Park, La Jolla, Mid-City,
Navajo, Serra Mesa, Skyline/Paradise Hills, Southeastern San
Diego, Torrey Pines, Via de la Valle, DIF Bowl

Citywide Infrastructure, General Plan Financing Strategy, General
Plan Maintenance Fee, PMC Report Recommendations

Carmel Valley North, Carmel Valley South, Fairbanks Ranch, Otay
Mesa East, Otay Mesa West, Pacific Highlands Ranch, Torrey
Highlands, Subarea 2, SB207

Clairemont Mesa, College Area, Midway/Pacific Highway, Mission
Beach, Ocean Beach, Old San Diego, Pacific Beach, Peninsula,
Rancho Bernardo, San Pasqual, San Ysidro-Tijuana River Valley,
Uptown, Reimbursement Agreement

Mid-City (PFFP Update), Mira Mesa, Mission Valley, North
University City, South University City

Centre City, East Elliott, Otay Mesa-Nestor, Tierrasanta, Torrey
Hill, Park Issues

Del Mar Mesa, Kearny Mesa, Linda Vista, Rancho Peñasquitos,
Sabre Springs, Development Monitoring

For general questions phone us at (619) 533-3670 or e-mail us at facilitiesfinancing@sandiego.gov



PROGRAM MANAGER CHARLENE M. GABRIEL (cgabriel)		53-33187	8:30 – 5:30		
SUPERVISING PROJECT MANAGER PAMELA BERNASCONI (pbernasconi) 53-33677 7:30-4:00/Telecommute Wed	SPV CMG	RESPONSIBILITIES AB1600, SCIP	GI S GH	BACK-UP TRACANNA	
JOHN TRACANNA (jtracanna) 53-33682 M-Th 7:30-5:30/1st Fri 8:30-5:30/2 nd Fri Off	CMG	CIP CONFORMANCE, CAPITALIZATION	LM	BERNASCONI	
PROJECT MANAGER ANGELA ABEYTA (aabeyta) 53-33674 M-Th 8:00-5:30/1st Fri Off/2nd Fri 8:00-4:30	JET	COMMUNITIES RESPONSIBLE BLACK MOUNTAIN RANCH (Limited Partnership) BLACK MOUNTAIN RANCH (Santaluz) CARMEL MOUNTAIN RANCH MIRAMAR RANCH NORTH RANCHO ENCANTADA SCRIPPS MIRAMAR RANCH	LM	ROBINSON ROBINSON ROBINSON ROBINSON ROBINSON ROBINSON	
VICKI BURGESS (vburgess) 53-33684 M-Th 7:00-5:00/1st Fri Off/2nd Fri 7:00-4:00	PEB	BARRIO LOGAN GOLDEN HILL GREATER NORTH PARK LA JOLLA MID-CITY (plan files) NAVAJO SERRA MESA SKYLINE/PARADISE HILLS SOUTHEASTERN SAN DIEGO TORREY PINES VIA DE LA VALLE DIF BOWL	GH	LEE LEE LEE LEE LEE LEE LEE LEE LEE LEE JANUARY BERNASCONI	
MARCO CAMACHO (mcamacho) 53-3686 M-Th 7:15-5:00/1st Fri 7:15-4:00/2 nd Fri Off	PEB	CITYWIDE INFRASTRUCTURE GENERAL PLAN GENERAL PLAN MAINTENANCE FEE PMC REPORT RECOMMENDATIONS		BRAGADO/GABRIEL L GABRIEL	
FRANK JANUARY (fjanuary) 53-33699 7:30-4:30	PEB	CARMEL VALLEY-NORTH CARMEL VALLEY-SOUTH FAIRBANKS RANCH OTAY MESA-EAST OTAY MESA-WEST PACIFIC HIGHLANDS RANCH TORREY HIGHLANDS SUBAREA 2 SB207	GH	SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD SHEFFIELD	
EVELYN LEE (elee) 53-33685 M-Th 7:00-4:30/1st Fri 7:00-3:30/2 nd Fri Off	JET	CLAIREMONT MESA COLLEGE AREA MIDWAY/PACIFIC HIGHWAY CORRIDOR MISSION BEACH OCEAN BEACH OLD SAN DIEGO PACIFIC BEACH PENINSULA RANCHO BERNARDO SAN PASQUAL SAN YSIDRO, TIJUANA RIVER VALLEY UPTOWN REIMBURSEMENT AGREEMENT	LM	BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS BURGESS	
CHERYL ROBINSON (crobinson) 53-33679 MTThF 7:00-4:30 1st Wed Off/2nd Wed 7:00-3:30	JET	MID-CITY (PFFP Update) MIRA MESA MISSION VALLEY NORTH UNIVERSITY CITY SOUTH UNIVERSITY CITY	LM	BURGESS STRONG STRONG ABEYTA ABEYTA	



MEGAN SHEFFIELD (msheffield) 53-33672 M-Th 7:00-4:30/1st Fri 7:00-4:00/2 nd Fri Off	PEB	CENTRE CITY EAST ELLIOTT OTAY MESA-NESTOR TIERRASANTA TORREY HILLS PARK ISSUES	GH	LEE JANUARY JANUARY JANUARY	
CHARLETTE STRONG (cstrong) 53-33683 M-Th 7:00-5:00/1st Fri 7:00-4:00/2 nd Fri Off	JET	DEL MAR MESA KEARNY MESA LINDA VISTA RANCHO PENASQUITOS SABRE SPRINGS DEVELOPMENT MONITORING	LM	ROBINSON ROBINSON LEE ABEYTA ABEYTA TRACANNA	
SENIOR MANAGEMENT ANALYST (Vacant)	PEB	TBD			
ASSOCIATE MANAGEMENT ANALYST (Vacant)	JET	REIMBURSEMENT AGREEMENTS AND INVOICE PROCESSING DATABASE MANAGEMENT PFFP PROOFREADER DEVELOPMENT MONITORING			
ENGINEERING SUPPORT JIM SHAMLOUFARD (jshamloufard) 53-33678 M-Th 7:00-4:30/1st Fri 7:00-3:30/2 nd Fri Off	CMG	DEVELOPMENT MONITORING REIMBURSEMENT AGMT INVOICE APPROVAL			
ASSOCIATE ENGINEER (Vacant)	JS	DEVELOPMENT MONITORING			
GIS SUPPORT GLORIA HENSLEY (ghensley) LEON MCDONALD (lmcDonald)	PEB JET	53-33680 8:00-4:30 53-33681 Mon-Fri 7:00-4:30; 1 st Mon 7:00-3:30/2 nd Mon Off			
ADMINISTRATIVE SUPPORT ROGER GLAMAN (rglaman)	CMG	53-33676 Mon-Thur 7:00–4:30; 1 st Fri 7:00–3:30 / 2 nd Fri Off			
CLERICAL SUPPORT ROSALIA HERNANDEZ (hernandezr) WPO (Vacant)	CMG RH	53-33690 8:00-5:00 53-3671/33670			



Multiple Species Conservation Program (MSCP) Plan Summary

Introduction

Description of MSCP Study Area

Conservation Plan

Assembling the MSCP Preserve

Implementation Strategy and Structure

Perseve Management & Reporting

Financing Habitat Acquisition & Mgmt.

1.0 INTRODUCTION

The Multiple Species Conservation Program (MSCP) is a comprehensive habitat conservation planning program for southwestern San Diego County. The MSCP will preserve a network of habitat and open space, protecting biodiversity and enhancing the region's quality of life. The MSCP will also provide an economic benefit by reducing constraints on future development and decreasing the costs of compliance with federal and state laws protecting biological resources. The MSCP Plan has been developed cooperatively by participating jurisdictions and special districts in partnership with the wildlife agencies, property owners, and representatives of the development industry and environmental groups. The plan is designed to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. By identifying priority areas for conservation and other areas for future development, the MSCP will streamline existing permit procedures for development projects which impact habitat.

Many native vegetation communities in the region are considered sensitive because they have been greatly reduced in distribution by development. San Diego County contains over 200 plant and animal species that are federally and/or state listed as endangered, threatened, or rare; proposed or candidates for listing; or otherwise are considered sensitive. Over half of these species occur in the MSCP study area. The MSCP will protect habitat for over 1000 native and normative plant species and more than 380 species of fish, amphibians, reptiles, birds and mammals. The proposed assembly of the MSCP preserve is based on the policies that public lands be incorporated to the greatest extent possible and that private property rights be fully respected and upheld. Private lands acquired with public funds for the preserve will only be acquired from willing sellers. The MSCP is also based on the equitable distribution of costs. Local jurisdictions and special districts will implement their portions of the MSCP Plan through subarea plans, which describe specific implementing mechanisms. The MSCP Plan, with its attached subarea plans, will serve as: 1) a multiple species Habitat Conservation Plan pursuant to Section 10(a) of the federal Endangered Species Act; and, 2) a Natural Community Conservation Program (NCCP) Plan pursuant to the California NCCP Act of 1991 and the state Endangered Species Act. Once approved, the MSCP and subarea plans will replace interim restrictions on impacts to coastal sage scrub, as a result of the federal listing of the California gnatcatcher as threatened, and will allow the incidental take of other Covered Species as specified in the plan.

2.0 DESCRIPTION OF THE MSCP STUDY AREA

The MSCP study area covers approximately 900 square miles (582,243 acres) in southwestern San Diego County and includes the City of San Diego, portions of the unincorporated county of



San Diego, ten additional City jurisdictions, and several independent special districts (Figure 1-2). The study area is bordered by Mexico to the south, National Forest lands to the east, the Pacific Ocean to the west and the San Dieguito River Valley to the north. Naval Air Station Miramar, the Point Loma Naval Complex, and other military lands are within the MSCP study area but are being planned separately.

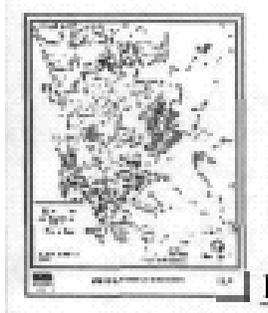


Figure 1-2, Jurisdictions Within MSCP Study Area

Vegetation Communities and Evaluated Species

Approximately 54 percent (315,940 acres) of the MSCP study area supports several distinct vegetation communities or habitat types, most of which are considered sensitive or rare, with the remainder developed (41%) or in agriculture (5%). The MSCP preserve was designed using an evaluation of 93 species as indicators of the range of habitats and biological diversity in the study area. Included within the 93 species were 41 species that are federally or state listed, candidates for listing, or proposed for listing. The plan attempts to maximize the presence of these species and their habitats in the preserve.

Biological Core and Linkage Areas

Biological core and linkage areas were identified to assist local jurisdictions and special districts as one element to be considered in identifying their portion of the MSCP preserve and/or preserve design criteria. The most critical biological resources were prioritized for preservation to maximize the conservation value of the preserve, to efficiently use acquisition funds and to identify less important habitat areas that could be developed. Sixteen core biological resource areas and associated habitat linkages, totaling approximately 202,757 acres of habitat, were identified. Subarea plans with specific preserve boundaries maximize inclusion of unfragmented core areas and linkages in their preserve design to the extent possible.

Ownership

The study area contains 315,940 acres of habitat with almost two-thirds (about 194,563 acres) being privately owned. Over one-third of the habitat is in military (20,082 acres) or other public ownership (101,295 acres).

Gap Analysis of Habitat Protection and Planned Land Uses

A gap analysis was performed to identify where existing protection of key biological resources was already in place (such as planned open space lands, public lands and lands unlikely to be developed because of steep slopes and floodplains) and where “gaps” in habitat protection may occur. The gap analysis showed that only 17 percent of the biological core and linkage areas were already preserved for biological open space as of 1994, and these protected areas were widely distributed without linkages between them. According to adopted general and community plans, most of the remaining habitat areas in the MSCP study area are planned to be developed with low density residential uses (39%) or used as parks, preserves or open space (29 percent). The local jurisdictions considered these planned land uses in designing or establishing criteria for the MSCP preserve and will amend land use plans, as needed, to implement the MSCP (see Section 5).



Future Growth

In allocating future forecast growth in the region, the local jurisdictions and SANDAG found that, without the MSCP, the existing general and community plans would accommodate residential growth up to around 3.3 million people, which is forecast to be reached in 2005. It is projected that after 2005, there will not be sufficient vacant land designated by the general and community plans for residential use at urban densities (more than one dwelling unit per acre). In response to this issue, local jurisdictions have been working with SANDAG to formulate a Regional Growth Management Strategy to accommodate residential growth beyond 2005 by focusing growth around major transit services, providing mixed uses at community centers and locating residences within major employment centers. Although a lack of sufficient residentially designated lands in land use plans would occur with or without a habitat preserve system, habitat conservation and a new growth management strategy can be mutually supportive of quality of life objectives and the need for economic growth.

3.0 CONSERVATION PLAN

Multi-Habitat Planning Area (MHPA)

The process of designing the MSCP preserve incorporated the goals of preserving as much of the core biological resource areas and linkages as possible, maximizing the inclusion of public lands and lands already conserved as open space, and creating an affordable preserve with the equitable sharing of costs. The participating jurisdictions and special districts cooperatively designed a Multi-Habitat Planning Area (MHPA), in partnership with the wildlife agencies (USFWS and CDFG), property owners, and representatives of the development interests and environmental groups. The MHPA is the area within which the permanent MSCP preserve will be assembled and managed for its biological resources. Public acquisition of private lands from willing sellers will be focused within the MHPA.

The MHPA is defined in some areas by mapped boundaries and in others by quantitative targets for conservation of vegetation communities and by goals and criteria for preserve design. The jurisdictions and special districts prepared subarea plans and defined boundaries of their portions of the MHPA based on common objectives and criteria, but using different methods of implementation. The resulting conservation of the subarea plans is summarized in Figure 3-2. The MHPA includes property set aside as mitigation for major development projects as a result of negotiations, habitat designated as open space in general plans, and areas already preserved for their biological resources. The remainder are areas within which the ultimate preserve will be sited.



Figure 3-2, Average Habitat Conservation in MHPA
Habitats Conserved

The MSCP Plan targets 171,917 acres of vacant land within the MHPA for conservation, including over half of all natural lands in the MSCP study area (167,667 acres) and 4,250 acres of other vacant lands that contribute to preserve design. The MHPA conserves 62 percent of all



coastal sage scrub and important portions of all vegetation communities in the study area. This conservation is focused in the most biologically important areas, with nearly three-fourths (73%) of the core biological resource areas and linkages conserved in the MHPA. Table 3-3 and Figure 3-6 summarize the amount of each vegetation community targeted for conservation within the MHPA. Each subarea plan contributing to the total describes a process for allowing development outside the preserve to be mitigated by conservation inside the preserve.



Figure 3-6, Vegetation Communities Targeted for Conservation in MHPA

This plan targets 7,591 more acres for conservation than the Draft MSCP Plan, which targeted 164,326 acres. The difference is attributed to several factors: the acreage of public lands targeted for conservation in the MHPA increased by about 10,000 acres; the City of San Diego now targets 4,250 acres of disturbed and agricultural lands to meet preserve configuration needs (however, agriculture is not precluded in the preserve); and the study area has expanded by about 1,050 acres. The acreage of private lands targeted for conservation decreased by about 2,400 acres.

Covered Species

Based on the MHPA preserve configuration, vegetation community conservation targets, and implementation of habitat management plans, 85 species will be adequately conserved and “covered” by this plan. The county of San Diego and cities of San Diego, Poway, and Chula Vista must have approved subarea plans and implementing agreements before take of all 85 species is authorized for all participants. The participating local agencies will receive take authorizations from the federal and state agencies to directly impact or “take” these 85 species, in accordance with approved subarea plans and implementing agreements. The covered species include species listed as endangered or threatened as well as currently unlisted species.

Protection Status	Plants	Animals	Total
Federally listed ¹	5	12	17
State listed ²	13	2	15
Federally proposed	3	1	4
Federal candidates (C1 and former C2)	24	12	36
Other ³	1	12	13
Total	46	39	85

¹ May also be state listed.

² Includes 8 plants proposed for federal listing.

³ State species of special concern, habitat indicator species, and species important to preserve design.

If, in the future, a covered but unlisted species becomes listed as endangered or threatened, the take authorization will become effective concurrent with its listing.

Narrow Endemic Species. Some native species, primarily plants with restricted geographic distributions, soil affinities, and/or habitats, are referred to as “narrow endemic species.” For



vernal pools and identified narrow endemic species, the jurisdictions will specify measures in their subarea plans to ensure that impacts to these resources are avoided to the maximum extent practicable.

Uncovered Species

The plan also includes provisions for adding uncovered species to the covered species list. If a species not on the covered species list is proposed for listing, the wildlife agencies will determine if additional conservation measures are needed to adequately protect the species. If additional measures are needed, management practices and enhancement opportunities and reallocation of public acquisition funds will be used provided that covered species are not adversely affected. If these options are not adequate, preference will be given by the wildlife agencies to additional measures that do not require additional mitigation or dedication of land. The wildlife agencies have also agreed to provide additional habitat-based assurances for uncovered species by classifying certain vegetation communities as “significantly” and/or “sufficiently conserved” by the MSCP, as described in the MSCP Plan and Model Implementing Agreement.

4.0 ASSEMBLING THE MSCP PRESERVE

The MSCP preserve will be assembled through a combination of the following methods:

1. Conservation of lands already in public ownership;
2. Public acquisition of private lands with regional habitat value from willing sellers; and
3. Private development contributions through development regulations and mitigation of impacts.

The relative contributions of these three methods and the equitable distribution of costs have been addressed in policies established by elected officials of several jurisdictions. These policies have served as the basis for plan proposals on assembling, implementing and financing the preserve.

Sources of Preserve Assembly

Of the total 171,920 acres targeted for preservation, public sources will contribute 81,750 acres of public lands and acquire approximately 27,000 acres of private lands. Approximately 63,170 acres of private lands will be conserved through the development process, including mitigation for impacts to biological resources outside the preserve. In total, the public sector will contribute 63.3 percent of the MSCP preserve, and private sector development will contribute 36.7 percent (Figure 4-1 and Table 4-1).

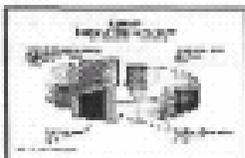


Figure 4-1, Sources of Targeted Conservation

The federal and state governments have acknowledged their role in habitat conservation and agreed to assist the local jurisdictions and property owners in creating a preserve that reduces or avoids the need to list additional species. The federal and state governments will contribute 36,510 acres of existing federal and state lands, excluding military lands, to permanent habitat conservation and



management. This includes 24,510 acres managed by the Bureau of Land Management, three existing wildlife refuges that are part of the National Wildlife Refuge System and several state administered parks and reserves.

Local governments collectively own approximately 47,850 acres of habitat in the MHPA, of which 45,240 (94.5%) are targeted for permanent conservation and habitat management. Most of these lands are already protected in existing passive recreation parks and open space preserves. Approximately 10,400 acres, referred to as cornerstone lands, are owned by the City of San Diego Water Utilities Department and will be committed to habitat conservation through a conservation bank agreement with the wildlife agencies.

Over a period of 30 years, the federal and state governments, collectively, and the local jurisdictions in the MSCP study area, collectively, will each contribute half of the approximately 27,000 acres to be acquired by public means. Lands acquired as mitigation for public or private projects or through land use regulation will not be included as part of the acquisition obligation of the local jurisdictions. Funding of the local share of the preserve (acquisition, management, monitoring and administration) will be carried out on a regional basis.

In 1996, 43.8 percent (85,190 acres) of lands in the MHPA were owned by federal, state and local governments and 56.2 percent (109,130 acres) were privately owned. Of the MHPA lands in private ownership, 57.9 percent (63,170 acres) will be conserved in conjunction with private development, according to local land use regulations and through off-site mitigation; 24.7 percent (27,000 acres) will be publicly acquired; and 17.4 percent (18,900 acres) will potentially be developed (Figure 4-3).



Figure 4-3, Conservation and Development in MHPA

Estimated Acquisition Need. The estimated need for acquisition of 27,000 acres was based on estimates provided by the five jurisdictions with most of the privately owned habitat lands within the MHPA: the cities of Chula Vista, Poway, San Diego and Santee and the county of San Diego. The estimates were based on detailed, site specific reviews of such factors as ownership patterns and parcel sizes, presence of biological resources, approved and negotiated projects, and the potential for future development given the application of land use regulations and environmental review.

5.0 IMPLEMENTATION STRATEGY AND STRUCTURE

Implementation of the MSCP requires coordinated actions among the participating local jurisdictions, other take authorization holders, the wildlife agencies, and the private sector. The MSCP Plan establishes the framework, while allowing the flexibility for each jurisdiction to implement the MSCP through their own subarea plans and implementing agreements. The MSCP provides for sequential adoption of subarea plans by the jurisdictions or other take authorization holders. Subarea plans and implementing agreements are also severable so that future actions or inactions of any one jurisdiction will not affect other take authorizations, except for the effects on the list of covered species and federal and state assurances that are specified in the subarea plans or implementing agreements.



The jurisdictions and other entities receiving federal and state take authorizations for covered species will receive assurances that increase predictability for the development process. Proponents of projects approved consistent with the MSCP will become “third party beneficiaries” to the locally received take authorizations, receiving assurances that mitigation obligations will not be subsequently altered for covered species and receiving the benefits of a streamlined process for federal and state permitting and environmental review.

Subarea Plans

Subarea plans to implement the MSCP are prepared by local jurisdictions, special purpose agencies, regional public facility providers or utilities and, together with an implementing agreement, serve as the basis for issuance of federal and state take authorizations for covered species. The subarea plan specifies how the take authorization holder will conserve habitat and build the MSCP preserve using, in part, its existing land use planning and project approval process. Jurisdictions will incorporate the MSCP Plan and subarea plan into their policies, land use plans, and regulations and will approve public and private projects, or the siting of facilities, consistent with the subarea plan.

Subarea plans contain criteria, such as conservation targets, mitigation standards and/or development encroachment limits, to ensure that habitat preservation proceeds in step with development, and mechanisms to avoid or minimize project impacts to the preserve. A preserve management plan, or a schedule for its preparation, is also contained in the subarea plan. Subarea plans for the cities of San Diego, Chula Vista, Santee, Del Mar, and Coronado, the county of San Diego and Otay Water District are included in the MSCP Plan (Volume II). Subarea plan boundaries differ from jurisdictional boundaries because some jurisdictions own, otherwise control or may annex lands beyond their current jurisdiction boundaries. Other participants provided draft Multi-Habitat Planning Area maps for inclusion in the MSCP Plan, but have prepared or are preparing subarea plans separate from the MSCP Plan.

Implementing Agreements

An implementing agreement is a binding contract signed by the local jurisdiction (or other take authorization holder) and the wildlife agencies which identify the roles and responsibilities of the parties to implement the MSCP and subarea plan. The agreement also specifies assurances and remedies if parties fail to perform their obligations. A Model Implementing Agreement, generally acceptable to the wildlife agencies, has been developed for use in preparing more specific implementing agreements and is contained as Attachment A to the plan. Many assurances are provided by the wildlife agencies including the provision for long-term (50 year) take authorizations for covered species, how a change in circumstances will be addressed for covered species, the effects on development and sharing of costs for uncovered species should they become listed, and the ability of take authorizations to be severable from those granted to other entities implementing the MSCP.

Local Jurisdiction Actions to Implement the MSCP

Local jurisdictions will implement the MSCP through their approved subarea plans and will amend land use plans, development regulations, codes and guidelines, as needed, to assure that



development projects are consistent with the subarea plan and that conservation targets are reached. Some flexibility in plan implementation is provided in that adjustments to the MHPA and/or preserve boundaries can be made, without the need to amend the MSCP Plan or subarea plan, if the same or higher biological value of the preserve is achieved and the wildlife agencies concur. The jurisdictions will ensure that habitat management occurs on contributed public lands and on habitat lands acquired with regional funds or dedicated through the development process. The jurisdictions will also participate in establishing a regional funding source, coordinate conservation actions with adjoining jurisdictions, and prepare reports as described in Section 6.

Wildlife Agency Actions to Implement the MSCP

The wildlife agencies, as partners in MSCP implementation, will issue take authorizations for covered species based on the subarea plans and implementing agreements; contribute and manage identified existing federal and state lands and those acquired with federal and state funds; coordinate the biological monitoring program; meet annually with take authorization holders; ensure that other wildlife agency permits/consultations are coordinated and consistent with the MSCP; provide technical assistance; include MSCP funding in annual budget proposals; and assist jurisdictions and other agencies in developing a regional funding source and in public outreach or education programs.

Institutional Structure for MSCP Implementation

The MSCP Plan does not create a new regional structure or authority. However, the jurisdictions will identify a new or existing structure for establishing a regional funding source and for allocating funds. The participating jurisdictions will also create two coordination committees:

- a Habitat Management Technical Committee to coordinate on technical issues of preserve management and maintenance; and,
- an Implementation Coordinating Committee to coordinate subarea plan implementation and the annual accounting of conservation and take, and to provide a forum for discussing regional funding, public outreach and implementation issues. This committee's meetings will be noticed and open to the public.

6.0 PRESERVE MANAGEMENT AND REPORTING

The MSCP Plan provides a framework for evaluating land uses for compatibility with the preserve and presents guidelines for preserve management and reporting. Existing legal land uses within and adjacent to the preserve will be allowed to continue.

Guidelines for Land Uses within the Preserve

The MSCP provides for public recreation and education within the preserve, while conserving biological resources and ensuring that private property rights are respected. Riding and hiking trails and other passive uses are allowed in portions of the preserve as specified in subarea plans. Guidelines are provided for agriculture, urban development, public facilities, mineral extraction, and other uses; however, subarea plans define permitted uses and methods for review and permitting of public and private development within and adjacent to the preserve.



Guidelines for Preserve Management Activities

Each take authorization holder will prepare a habitat management plan (or plans) as part of its subarea plan, or as part of implementing its subarea plan, and will be responsible for management and biological monitoring of its identified public lands, lands obtained as mitigation through fee title or easements, and land acquired for habitat conservation with regional or local funds. Likewise, the federal and state agencies will manage and monitor their present land holdings, as well as those they acquire on behalf of the MSCP.

The wildlife agencies will also assume primary responsibility for coordinating the biological monitoring program, described in a separate Biological Monitoring Plan. Private landowners who are third party beneficiaries will be responsible for habitat management of preserve lands they choose to retain in private ownership consistent with the subarea plan and conditions of development permits. No additional fees will be charged to landowners for biological monitoring. General guidelines are provided for fire management, restoration, predator and exotic species control and other management activities.

Reporting on MSCP Plan Implementation

Tracking MSCP implementation involves two independent processes:

- annual accounting of the acreage, type and location of habitat conserved and destroyed (taken) by permitted land uses and other activities; and,
- biological monitoring to determine if the preserve system is meeting conservation goals for covered species.

Each take authorization holder will provide an annual accounting report for the calendar year and submit it to the wildlife agencies and public by February 15. Annual meetings will be held with the wildlife agencies to review subarea plan implementation and to coordinate activities. Every three years, the following will be prepared: 1) an MSCP status report, prepared by the jurisdictions, and accompanied by public hearings; 2) a biological monitoring report prepared by the wildlife agencies; and 3) a report on management activities and priorities prepared by preserve managers.

7.0 FINANCING HABITAT ACQUISITION AND MANAGEMENT

The analysis of MSCP costs and alternative funding programs is based on the splitting of acquisition costs between the federal and state governments and local jurisdictions, and the sharing of costs and responsibilities for preserve management and biological monitoring. Funding of the local costs will be carried out on a regional basis, and local elected officials have established the policy that any regional funding for the MSCP will be submitted to the voters for approval.

MSCP Costs

If the MSCP is implemented using a 30-year benefit assessment program, the total cost to the local jurisdictions, residents, and businesses to implement the MSCP is estimated to range from



\$339 to \$411 million in 1996 dollars, based on a range in estimated value of habitat lands to be acquired.

Land Acquisition Costs. The jurisdictions that estimated land acquisition needs also estimated land acquisition costs in their respective jurisdictions, and determined collectively that the cost of purchasing 27,000 acres would range from \$262 to \$360 million (Table 7-5). One half of the acquisition need will be met by the local jurisdictions, funded through a regional funding source. Based on the jurisdictions' estimates, the average acquisition cost ranges from \$9,700 to \$13,300 per acre. In comparing these estimates to recent sales prices, about 89 percent of lands recently sold had prices below the average estimated acquisition cost of the jurisdictions' low estimates (\$9,700/acre).

Costs for Preserve Management, Monitoring and Administration. The total costs to the local jurisdictions for preserve management, biological monitoring and program administration over the first 30 years is estimated to be approximately \$120 million, with an annual projected cost beyond that time of \$4.6 million per year (\$3.4 million more than current funding). An endowment could be created during the 30-year financing program to permanently cover recurring costs, or, as an alternative, a new funding program could be established before the end of the 30-year program.

The participating local jurisdictions will manage, using funds from the regional funding source, approximately 106,120 acres of habitat lands in the preserve at preserve buildout, at a cost of \$4.2 million per year. Preserve management costs are estimated to range from \$37 per acre per year for areas isolated from urban development to \$47 per acre per year for areas near urban development. The federal and state governments would manage 50,010 acres at preserve buildout, at an estimated cost of \$2 million per year.

Biological monitoring costs will vary each year as a result of the type and frequency of monitoring required, with the average annual costs over a ten-year cycle estimated to be \$230,400. Annual administration costs (e.g. land acquisition activities, subarea plan implementation, legal support, financial management, reporting and database management, and facilities and equipment) will also vary, reaching a peak of \$1.3 million in 2004 during the period of land acquisition, and declining to \$255,000 per year at preserve buildout.

Financing Plan for Local Jurisdictions

Options for Regional Funding. Local elected officials directed that the MSCP evaluate several options for a regional funding source, including:

- a benefit assessment by a regional park or open space district;
- a habitat maintenance assessment;
- a Mello-Roos community facilities district special tax;
- an ad valorem property tax; and,
- an increase in sales tax.

State law provides different allowable uses for the revenues raised, so more than one source may be needed to fund both acquisition and recurring annual costs.



Timing of Regional Funding. The jurisdictions will begin a process to procure regional funding within 18 months of federal and state approval of the first subarea plan and will place a measure on the ballot and have one or more funding sources in place within an additional 18 months. This schedule may be adjusted if the jurisdictions demonstrate that their good faith efforts require additional time. The MSCP Plan includes a chronology of actions needed to place a measure on the ballot to finance the regional share.

Regional Financing Plan. The MSCP must provide information on the funding that will be made available to implement the plan as proposed. A financing plan has been prepared to illustrate one option available to the local jurisdictions. The jurisdictions will select one or more funding sources and develop a final financing plan to be submitted to the voters for approval. The example financing plan for local jurisdictions (Table 7-1) is based on a 30-year program of benefit assessments similar to that authorized by AB2007. The analysis of the regional financing plan assumes that the first 33 years of MSCP implementation is divided into three periods: an initial three-year period of interim funding; a 20-year period of land acquisition and debt financing under the regional funding program, and; a final phase in which outstanding bonds are repaid and an endowment is completed. The plan assumes that acquisition will be accelerated so that 50 percent of the target is acquired within four years after the start of regional funding, 75 percent within ten years, and 90 percent within 15 years. Under the example plan, the local share of the 30-year program is estimated to be \$339 million and \$411 million, for the low and high estimates of acquisition cost. The recurring costs of preserve management, monitoring and program administration between 1997 and 2029 are approximately \$120 million. The analysis assumes that annual recurring costs after 2029 will be funded from a permanent endowment. Interest and financing costs total \$29 million to \$48 million (using the low and high acquisition cost estimates).

Financial Impacts on Households and Businesses. The example financing plan would result in average annual assessments, over 30 years, of \$20 to \$25 per household and \$71 to \$88 per acre of commercial and industrial property, with the range reflecting the low and high estimates of acquisition costs. In the example financing plan, benefit assessments are assumed to remain constant during the 30-year program. The other funding options in the form of assessments or taxes are assumed to escalate over time. The fiscal impact of a regional funding program on households and businesses can vary substantially, depending on the funding sources selected (see Section 7.2.3).

Federal and State Funding Programs

The federal and state governments will acquire lands using funds from existing and future programs. Between 1989 and 1994, federal programs have funded an average of \$30 million per year for habitat conservation in California. Between 1980 and 1994, an average of \$270 million per year has been appropriated nationwide to four federal agencies using the federal Land and Water Conservation Fund. Other sources of funding include the National Fish and Wildlife Challenge Grants (with average grants to California of \$1.9 million per year from 1989-1994), the Cooperative Endangered Species Conservation Fund (a new initiative, which included \$6 million for FY97 citing the NCCP in southern California), USFWS annual appropriations, and state acquisition funds through the Wildlife Conservation Board (averaging \$30 million per year from 1989-1994).



**Table 3-3
VEGETATION COMMUNITY ACRES TARGETED FOR
CONSERVATION WITHIN MULTI-HABITAT PLANNING AREA**

Vegetation Communities	Total MSCP Study Area ¹ (acres)	Total MHPA (acres)	MHPA Conserved ³	% of MSCP Veg. Comm. Conserved
Beach	1202 (*)	491	443	37%
Saltpan	235 (*)	212	212	90%
Southern Foredunes	188 (*)	132	123	65%
Southern Coastal Bluff Scrub	198 (*)	146	137	69%
Coastal Sage Scrub	115,504 (*)	80,596	71,274	62%
Maritime Succulent Scrub	1,803 (*)	899	855	47%
Chaparral	111,335 (*)	60,933	54,945	49%
Southern Maritime Chaparral	1,782 (*)	1,240	1,111	62%
Coastal Sage/Chaparral	3,877 (*)	1,749	1,490	38%
Grassland	28,373 (*)	10,926	9,770	34%
Southern Coastal Saltmarsh	1,870 (*)	1,719	1,719	92%
Freshwater Marsh	815 (*)	497	497	61%
Riparian Forest	1,328 (*)	1,078	1,078	81%
Oak Riparian Forest	5,361 (*)	3,054	3,054	57%
Riparian Woodland	731 (*)	588	588	80%
Riparian Scrub	5,374 (*)	4,286	4,286	80%
Oak Woodland	5,600 (*)	3,150	2,651	47%
Torrey Pine Forest	169 (*)	153	144	85%
Tecate Cypress Forest	5,712 (*)	5,641	5,591	98%
Eucalyptus Woodland	1,633 (*)	364	326	20%
Open Water	5,726 (*)	5,220	5,220	91%
Disturbed Wetlands	928 (*)	738	738	80%
Natural Flood Channel	862 (*)	746	746	87%
Shallow Bay	9,581 (*)	369	369	4%
Deep Bay	4,891 (*)	3	0	0%
Other Habitat ²	864 (*)	339	300	35%
Subtotal Habitat	315,940 (*)	185,266	167,667	53%
Disturbed	23,244 (*)	5,037	2,447	11%
Agriculture	28,547 (*)	4,015	1,803	6%
Subtotal Vacant Land	367,731	194,318	171,917	47%
Developed	214,511	0	0	0%
TOTAL	582,243	194,318	171,917	30%

¹ Percent of total MSCP habitats (315,940 acres) is given in parentheses. Asterisk (*) indicates <1%.

² Disturbed, Agriculture, and Developed areas with habitat value according to the habitat evaluation map.

³ MHPA conserved acres have been estimated based on average conservation factors (e.g., 70%, 80%, 90%, etc.) applied to Total MHPA acres, with the following exceptions: (a) all wetland communities are assumed 100% conserved within the MHPA boundary; (b) all Disturbed and Agriculture area assumed 0% conserved within the MHPA for all subareas except City of San Diego; and (c) Developed areas are not conserved in MHPA. Numbers represent both existing conserved acres and acres targeted for conservation.

Note: Numbers may not sum to total as shown, due to rounding. Vernal pools were mapped as an overlay and thus their acreage is included in this total. Military lands are included in total study area acreage but are not limited in MHPA.

Source: 1996 MSCP GIS database.



**Table 4-1
SUMMARY OF PRESERVE ASSEMBLY**

**Acres Targeted for
Conservation in MHPA**

1. Federal and State Governments	
• Manage existing federal and state lands located in MHPA according to MSCP guidelines.	36,510 ac
• Contribute half of 27,000 acres of lands to be acquired by public means (subject to no more than 10% adjustment, upward or downward) through purchase or non-cash transactions, such as land exchanges. ¹ Manage and monitor those lands with federal and state funds.	13,500 ac
Total targeted for conservation by federal and state governments	50,010 ac
2. Local Jurisdictions	
• Manage currently owned lands located in MHPA according to MSCP guidelines.	45,240 ac
• Acquire privately owned habitat lands in MHPA by purchase or by non-financial methods. Manage and monitor lands acquired under the local program. ¹	13,500 ac
• Assure conservation of natural habitat on privately owned lands and appropriate mitigation in accordance with local land use regulations and environmental review.	See below.
Total targeted for conservation by local jurisdictions.	58,740 ac
3. Private Development	
• Conserve through the development process habitat lands currently in private ownership, and provide offsite mitigation through purchase of privately owned habitat lands inside MHPA, in accordance with local land use regulations and environmental review.	63,170 ac
Total targeted for conservation by private	63,170 ac
Total targeted for conservation by private development	63,170 ac
Total Targeted for Conservation in MHPA	171,920 ac

Numbers have been rounded.

¹ Public projects also will conserve habitat through off-site mitigation, in addition to acquisition solely for conservation purposes.



**Table 4-3
ACQUISITION AND CONSERVATION OF PRIVATE
VACANT LANDS BY SUBAREA**

Subarea/Segment	Estimated Acquisition Need (acres)	Land Conserved Through the Development Process (acres)	Total Private Land Conserved (acres)
Chula Vista	360 ²	340	700
Poway	3,200 ³	3,170	6,370
San Diego	2,400 ⁴	12,910	15,310
Santee	350 ³	1,460	1,810
county of San Diego			
Lake Hodges	1,150	3,410	4,560
Metro-Lakeside-	13,000	11,570 ⁵	35,540
Jamul		10,970 ⁶	
South County	4,700	20,620	25,320
Total County	18,850	46,570	65,420
Other Subareas	0	560	560
Total All Subareas			
Estimated Total	25,160	65,010	90,170
With Contingency	27,000	63,170	90,170

Source: Cities of Chula Vista, Poway, San Diego, and Santee, and County of San Diego; Onaka Planning & Economics.

Numbers have been rounded.

¹ To be acquired by the federal and state governments and the regional funding program.

² Target conservative (75%) of Minor Amendment Areas; and undetermined portion of this amount may be conserved through application of criteria and goals for linkages and corridors.

³ According to the subarea plans of Poway and Santee, all of these needs may be met through offsite mitigation of public or private projects.

⁴ According to the City of San Diego Subarea Plan, an estimated 1,000 acres of this need may be met through off-site mitigation for public or private projects.

⁵ Currently conserved in approved or negotiated projects.

⁶ To be protected.



Table 7-1
AN EXAMPLE FINANCING PLAN FOR LOCAL JURISDICTIONS
USING BENEFIT ASSESSMENT: 30-YEAR PROGRAM
COSTS AND REVENUES¹

	<u>Low Acquisition Cost</u>		<u>High Acquisition Cost</u>	
	1996 \$ Million	Percent	1996\$ Million	Percent
Program Costs	\$131.0	38.7%	\$180.0	43.8%
Habitat Acquisition	96.5	28.5%	96.5	23.5%
Management ²				
Biological	3.7	1.1%	3.7	0.9%
Program Administration ²	19.3	5.7%	19.3	4.7%
Deposits to Endowment ³	59.2	17.5%	64.0	15.6%
Interest and Financing Costs ⁴	29.1	8.6%	47.8	11.6%
Total	\$338.8	100.0%	\$411.3	100.0%
Program Revenues				
Regional Funding	\$296.6	87.5%	\$366.2	89.0%
Source ¹				
Continuation of Pre-1996	34.4	10.2%	34.4	8.4%
Open Space Budget ⁵				
Local Funding of Interest	5.2	1.5%	7.1	1.7%
Costs on Initial Acquisition ⁶				
Interest Revenue	2.6	0.8%	3.6	0.9%
Total	\$338.8	100.0%	\$411.3	100.0%

Source: Onaka Planning & Economics; Douglas Ford and Associates.

All costs and revenues in millions of 1996 dollars; future values have been discounted.

¹Costs and revenues shown in this table reflect a 30-year regional funding program based on benefit assessments levied by a regional parks and open space district. Costs assume establishment of an endowment for perpetual maintenance. Costs and revenues differ for other funding sources.

²Discounted sum of costs from 1997 to 2029.

³Discounted sum of deposits into an assumed endowment fund. The *undiscounted* amount of endowment in 2029, including accumulated interest, is \$235 million.

⁴Interest and bond issuance costs.

⁵Discounted sum of continued expenditures by local jurisdiction for the management of open space preserves established prior to 1996.

⁶Discounted sum of interest payments made by local jurisdictions for an assumed interim financing to acquire land prior to the start of a regional funding program.



Table 7-5
ESTIMATED COST OF HABITAT ACQUISITION BY FEDERAL AND STATE
GOVERNMENTS AND THE REGIONAL FUNDING PROGRAM¹

	Estimated Acquisition Need (acres)	Estimated Cost to Federal & State Governments & Regional Funding Program (\$ million)
Chula Vista	360	\$3 - \$7 million
Poway	3,200	\$48 million
San Diego	2,400	\$40 - \$70 million
Santee	350	\$3 million
County of San Diego (unincorporated)	18,850	\$149 - \$206 million
Total to Be Acquired by the Federal, State, and Local Governments	25,160	\$243 - \$334 million
With Contingency	27,000	\$262 - \$360 million

Source: Cities of Chula Vista, Poway, San Diego, and Santee and the county of San Diego. See also Table 4-3.

¹ The information contained in this table is intended only to estimate the total cost of lands potentially acquired for the MSCP preserve the federal, state, and local governments, with local governments using a regional funding program. The amounts and costs for individual jurisdictions are shown for information only. The amounts do not indicate the financing responsibilities of individual jurisdictions, and do not indicate how regional funds may be allocated to individual local jurisdictions.



THE DEVELOPMENT PERMIT
&
ENVIRONMENTAL REVIEW
PROCESS



The City of San Diego

The Development Review Process

A City Planning Committee Member's Guide

Updated: March 2005

INTRODUCTION

This section of the handbook focuses on one of the primary responsibilities of a community Planning committee member - the review and recommendation on development projects proposed in your community. This section orients committee members to the Development Services Department, how the development review process works, some of the regulations that apply to development in San Diego, and how to work well with project customers and City staff in the process.

One of the Development Services Department's primary responsibilities is the review and inspection of proposed development projects in San Diego for conformance with local and state development policies and regulations. This often involves project review by multiple City of San Diego (City) staff, other government agencies, and community representatives. The project customer pays for the costs of this review process through the payment of permit and inspection fees.

This section of the COW handbook describes the current development review process and the roles of those involved. In addition, it provides a brief orientation to the major body of regulations - the Land Development Code - that apply to new development. Helpful hints to improve the review process by Community Planners Committee (CPC) are also provided. Useful internet links:

Development Services Department:
<http://www.sandiego.gov/development-services/>

Land Development Code (LDC):
<http://clerkdoc.sannet.gov/website/mc/mc.html>

Cable Access Channel:
<http://www.sandiego.gov/citytv/webstreaming/index.shtml>

City Council Dockets:
<http://clerkdoc.sannet.gov/website/city-docket>

Public Hearing Notices:
<http://clerkdoc.sannet.gov/website/publicnotice/pubnotfulllistsearch.html>

Table of Contents	
Section	Page Number
Introduction	E-3
The Development Review Process	E-5
Roles and Responsibilities in the Review Process	E-18
The Land Development Code and the Review Process ..	E-23
Tips for Successful Committee Input on Development Projects	E-39
Information Bulletin 620: CPC and Distribution Forms.....	E-58

THE DEVELOPMENT REVIEW PROCESS

All projects that are required by law to obtain a permit or other approval from the City must be reviewed by the City Planning and Community Investment and Development Services departments before construction can proceed. This section of the COW handbook describes the review processes, explains the typical steps in project review, and gives an overview of the City's environmental process.

Project Decision Processes 1-5

The legal process steps that any development project must go through are established in the San Diego Municipal Code § 112.0501 entitled Overview of Decision Process. This section is excerpted below:

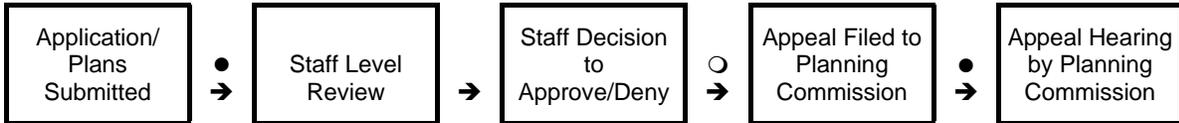
Applications for permits, maps, or other matters shall be acted upon in accordance with one of the five decision processes established in this division and depicted on Diagram E-1 (Diagram 112-05A). The subject matter of the development application determines the process that shall be followed for each application. The provisions of Chapter 12 that pertain to each permit, map, or other matter describe the decision process in more detail. Diagram E-1 (112-05A) describes the City's processes only and does not describe other decision processes that may be required by other agencies, such as the State Coastal Commission.

Diagram E-1
Decision Processes and Notices (Diagram 1112-05A)

PROCESS ONE



PROCESS TWO



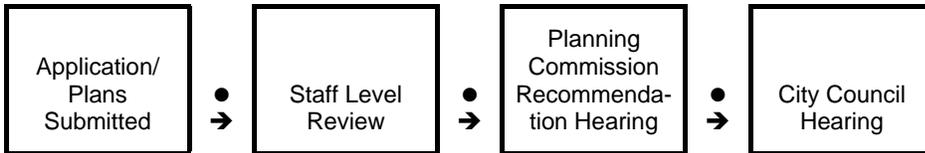
PROCESS THREE



PROCESS FOUR



PROCESS FIVE



Key

- Public Notice to Property Owners and Tenants within 300 Feet and to Community Planning Groups
- "Limited" Notice to Applicant and Anyone Requesting Notice

The five decision processes shown above fall into two primary categories, ministerial decisions or discretionary decisions. Projects reviewed and decided by Process 1 are ministerial decisions. These decisions are based solely on whether a project complies with regulations of the municipal code and, where applicable, any prior approved discretionary decision. If a project complies, the City must, by law, issue a permit. Process 2-5 decisions are considered to be discretionary decisions. While these projects are also subject to regulations, there is some level of discretion given to the assigned decision-maker to approve or deny these projects.

The CPC review and provide project approval or denial recommendations for those projects subject to discretionary decisions. Planning committees receive copies of all plans provided by project customers at the same as City staff, once the project plans and documents have been deemed complete by the City. Projects that are subject to ministerial decisions are reviewed by City staff only and are not distributed to planning committees.

The City of San Diego processes approximately 400 projects through the discretionary decision process yearly. Roughly 20,000 projects are reviewed and issued permits through the ministerial process each year.

Diagram E-2 shows the typical permit/approval types identified in the Municipal Code and the decision process required for each type. The specific decision process for any given project is established in Chapter 12 of the Land Development Code (San Diego Municipal Code Chapters 10-11&14).

Diagram E-2
Permit/Approval Types and Decision Processes

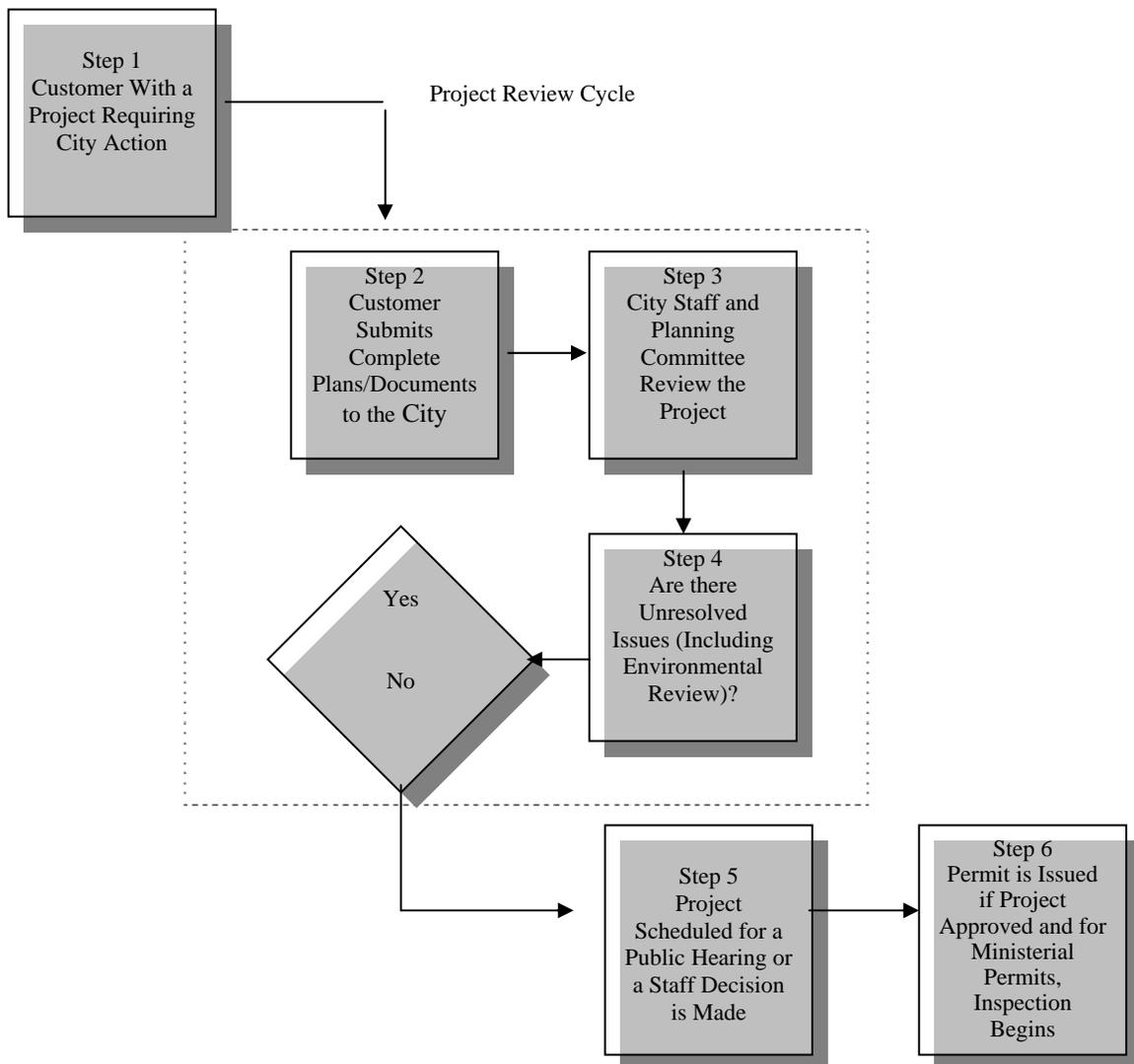
PERMIT APPROVAL TYPES	DECISION PROCESSES				
	Ministerial Decisions	Discretionary Decisions			
	Process 1	Process 2	Process 3	Process 4	Process 5
Legislative Actions (Land Use Plan Amendments, Rezones Etc.)					
Subdivision Maps					
Planned Development Permits					
Site Development Permits					
Conditional Use Permits					
Coastal Development Permits					
Neighborhood Development Permits					
Construction Permits (Building Permits, Right-of-Way Permits, Etc.)					

Steps in the Project Review Process

Independent of the type of permit or approval and the decision process that a project is subject to, the development review process follows the same basic steps: 1) A project is proposed that requires City approval; 2) the customer submits plans and other documents to the City that are reviewed by staff to determine if the application is complete, and if complete, the project is distributed; 3) the project is reviewed for conformance to development regulations and policies (planning committees only see certain projects); 4) once the review is completed, required corrections and comments that must be addressed are prepared by staff and provided to the customer; 5) after all comments and issues have been addressed, a project decision is then rendered.

This basic process is shown below in Diagram E-3. Each time a project goes through steps 2-3 in the review process, one “review cycle“ is considered completed.

Diagram E-3
Steps in Project Processing



E-8

Most projects that are subject to a ministerial decision (Process 1) go through an average of two to four review cycles before a decision is made. Each review cycle can take 1-30 days to complete. A complete review process from initial completeness to permit issuance can take between one day and four months on average. The time from submittal to permit issuance varies based on the complexity of the project and on the time it takes a project customer to make changes to their plans in response to staff comments and regulations and resubmit their project to the City for review. After permit issuance, City staff performs regular inspections of work for conformance with approved plans and applicable development regulations.

Projects that go through a discretionary decision (Process two to five) generally take a longer period of time before a decision is made. These projects generally go through three to five review cycles before a public notice is sent that a decision will be made by staff or by a decision-making body (Hearing Officer, Planning Commission, or City Council) at a public hearing. Discretionary decision review cycles average between 20-30 days each cycle. From a complete submittal until a decision is made can take an average of four to six months, based on project complexity, customer response times, and the type of environmental document that the project is subject to.

Environmental Review

Environmental review is a key part of the review process for projects requiring discretionary decisions. All discretionary decisions are subject to environmental review under the State of California Environmental Quality Act (CEQA). This process begins when a complete application for a permit or other approval is received by City staff. The environmental review process occurs at the same time and in parallel with all other project review. Projects cannot be scheduled for a decision or public hearing until either the project is determined to be exempt from CEQA or the appropriate environmental document has been distributed for public review and then finalized. City staff review of the project for conformance with development regulations and policies can often be finished prior to the completion of the environmental document. Public hearings to make decisions on projects are often held two to three weeks after the environmental document has been finalized.

Following is a general overview of the CEQA process.

Overview of the Environmental Process

The environmental review process is established by the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq) and the Guidelines for Implementation of the California Environmental Quality Act (California Administrative Code Section 15000 et seq), as well as court interpretations of CEQA. The California Environmental Quality Act was enacted in 1970, and is similar to the National Environmental Policy Act (NEPA).

City Responsibility

The City's Municipal Code specifically assigns the responsibility for implementation of CEQA to the Development Services Department (DSD). The DSD is charged with maintaining

independence and objectivity in its review and analysis of the environmental consequences of projects under its purview. The Director of DSD must work with both public and private project applicants to ensure that all feasible environmental mitigation measures or project alternatives are incorporated to minimize or preclude adverse impacts to the environment resulting from the project.

Basic Purpose of CEQA

The basic purposes of the California Environmental Quality Act (CEQA) are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effect of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved a project in the manner the agency chose if significant environmental effects are involved.

The CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

Activities Subject to CEQA

The CEQA applies in situations where a governmental agency can use its judgment in deciding whether and how to carry out or approve a project. A project subject to such judgmental controls is called a “discretionary project.” The CEQA applies to the following governmental actions:

- Activities directly undertaken by a governmental agency. Such activities include the construction of streets, bridges, or other public structures, or adoption of plans and zoning regulations.
- Activities financed in whole or in part by a governmental agency.
- Private activities which require approval from a governmental agency such as rezonings, tentative subdivision maps, planned development permits, and conditional use permits.

Private action is not subject to CEQA unless the action involves governmental participation, financing or approval.

Environmental Analysis Section

Under the direction of the DSD Director, the Environmental Analysis Section (EAS) of the Development and Environmental Planning Division is responsible for the review of projects and activities under CEQA.

Exemptions

The first task in environmental review is to conduct a preliminary review to determine if the activity is exempt from CEQA based on four general measures.

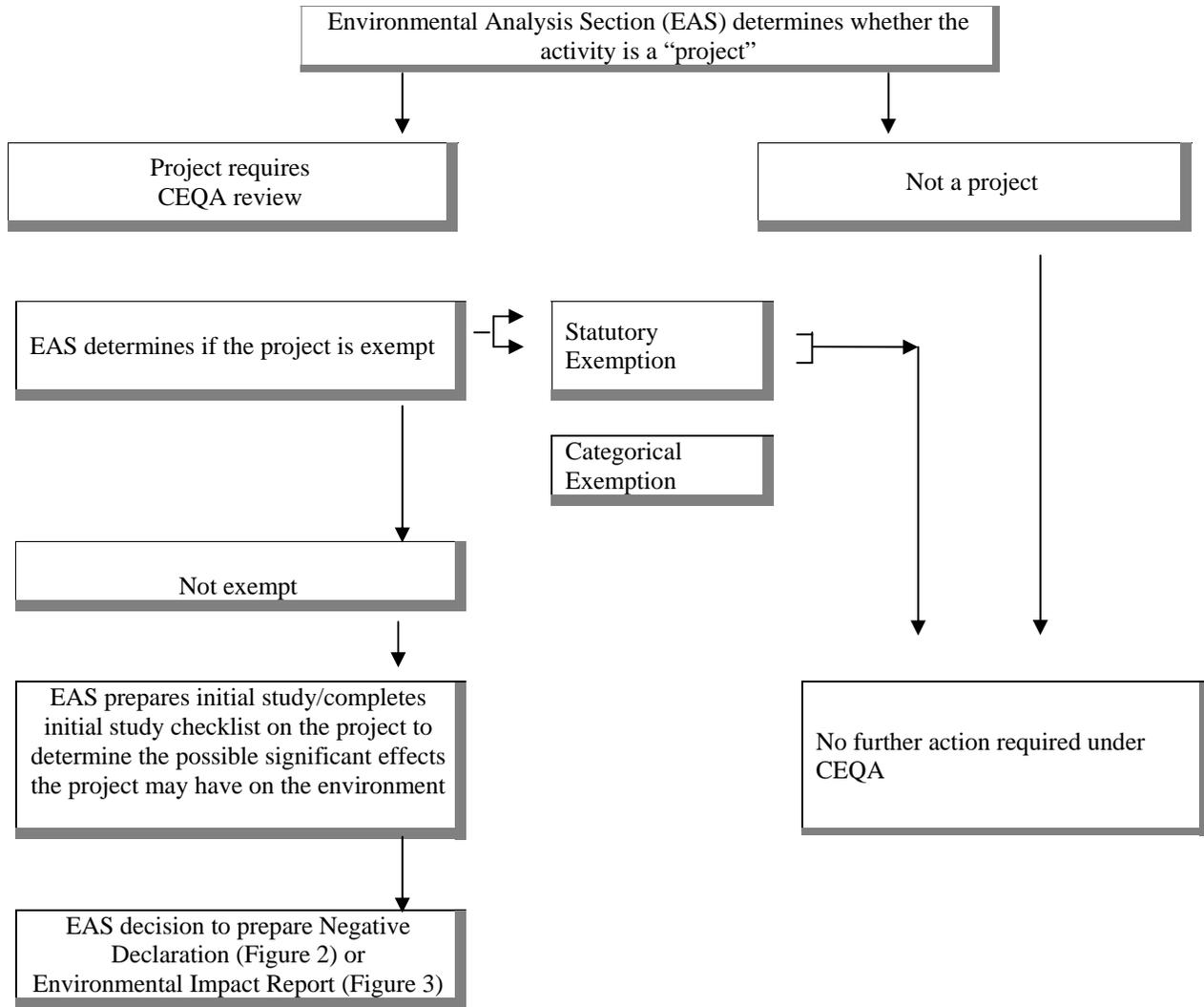
First, it must be determined if the activity is a project as defined by CEQA.

Second, the State Legislature has mandated that certain activities such as emergency projects and the issuance of ministerial permits, such as building permits, are generally exempt from environmental review.

Third, the CEQA Guidelines have established classes of projects that have been determined not to have a significant effect on the environment, such as minor additions to existing facilities, and actions by regulatory agencies for the protection of the environment.

Fourth, if a preliminary evaluation enables determinations that there is no possibility that the project may have a significant effect on the environment, then no further action is required under CEQA (See Diagram E-4). The time it takes to complete an exemption averages two to four weeks after the receipt of the project application.

**Diagram E-4 (Figure 1)
Initial Determination**



Initial Study

If a project is not exempt from environmental review, EAS will conduct a preliminary analysis, referred to as an Initial Study to determine whether the project may have a significant effect on the environment.

All phases of project planning, implementation, and operation must be considered in the Initial Study of the project. The Initial Study includes a worksheet, checklist with references, and a brief report with a discussion of the project description and location. It also discusses the environmental setting, the potential for impacts, and ways to mitigate significant impacts, if any.

The purpose of an Initial Study, per Section 15063 of the CEQA Guidelines, is to provide staff with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration. An Initial Study can eliminate the need for unnecessary EIRs by enabling modification of a project to mitigate adverse impacts before an EIR is prepared, thereby qualifying the project for a Negative Declaration. If an EIR is required, an Initial Study can assist in its preparation by focusing the EIR on the effects determined to be significant, as well as identifying and explaining the reasons for determining non-significant effects.

EAS may determine that additional information is required before the Initial Study and determination of potential impacts can be completed. This information may include such technical studies as an acoustical analysis, biological survey, archaeological survey and assessment, historical assessment, etc. This process is referred to as an Extended Initial Study and is used when the potential impacts can likely be mitigated through project redesign or conditions of approval.

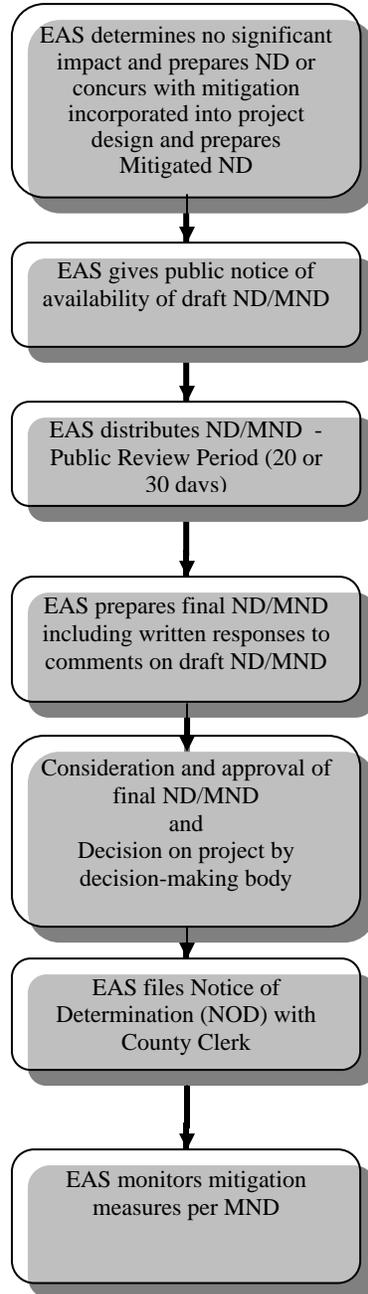
Negative Declaration/Mitigated Negative Declaration

If after completing the Initial Study, it can be determined that there is no potential for significant impacts, EAS will prepare a Negative Declaration (ND). If the Initial Study identified potentially significant impacts, but the applicant revises the project or agrees to enforceable conditions that would mitigate the identified significant impacts and there is not substantial evidence that the revised project may have a significant impact, a Mitigated Negative Declaration (MND) will be prepared.

The Negative Declaration includes a brief description of the project, project name, legal description, project applicant and the proposed finding that the project will not have a significant effect on the environment. In the case of a Mitigated Negative Declaration the document includes specific mitigation measures and a Mitigation Monitoring and Reporting Program to be included in the project to avoid potentially significant impacts. The Initial Study documenting the reasons to support the finding is attached to the ND or MND.

Diagram E-5 illustrates the ND/MND process that includes a published notice of availability and a 20 or 30-calendar day public review period for the draft document. Completion of a ND/MND will take an average of two to six months after the environmental determination is made.

Diagram E-5 (Figure 2)
Negative Declaration/Mitigated Negative Declaration



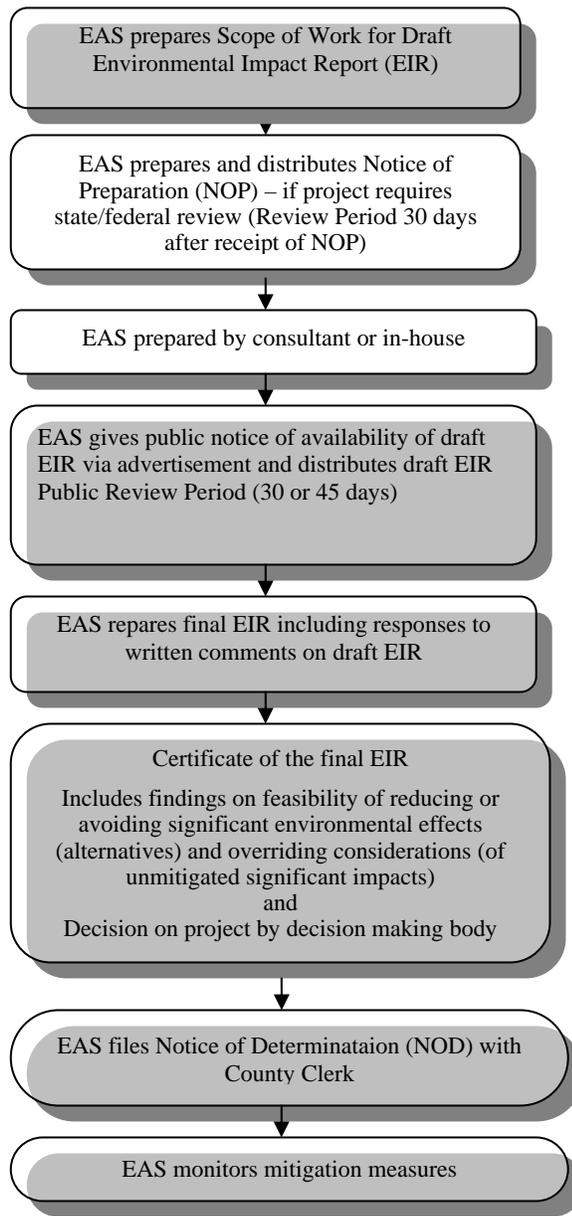
The public review period for a draft ND/MND is 20 calendar days. An additional 10 calendar days are required for public review of projects which must also be acted upon by a responsible state trustee agency or which have regional significance and are routed through the State Clearinghouse.

Environmental Impact Report

If there is “substantial evidence” that the project may have a “significant effect” (as defined by CEQA) on the environment, then an EIR is prepared.

The EIR is a detailed report describing the project, analyzing its significant environmental effects, and discussing ways to mitigate or avoid the effects. Diagram E-6 (Figure 3) illustrates the EIR process. Consultants, who although hired by the applicant, are under the supervision of EAS staff, prepare the majority of EIRs. Completion of an EIR can vary from six to twelve months depending on project complexity.

Diagram E-6 (Figure 3)
Environmental Impact Report



The public review period for a Draft ND/MND is 20 calendar days. An additional 15 calendar days are required for public review of projects which must also be acted upon by a responsible State trustee agency or which have regional significance and are routed through the state Clearinghouse.

A key element of the EIR is the Alternatives section. The CEQA requires discussion of a range of reasonable alternatives to the project, or to the location of the projects that could feasibly attain the basic objectives of the project. The EIR should evaluate the comparative merits of alternatives and should focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly.

The range of alternatives required in an EIR is governed by the “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The key issue is whether the selection and discussion of alternatives fosters informed decision-making and public participation. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

Substantial Evidence and Significant Effect

Per Section 15384 of the CEQA Guidelines, the key phrases are “substantial evidence” and “significant effect,” when determining whether a Negative Declaration or an EIR is to be prepared.

“Substantial evidence” means there is enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made is to be determined by examining the entire record. Mere uncorroborated opinion or rumor does not constitute substantial evidence.

Per Sections 15382 and 15064 of the CEQA Guidelines, significant effect on the environment means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.” “The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data.”

Standards for Adequacy of an EIR Per Section 15151

CEQA requires that an EIR be prepared with a sufficient degree of analysis to enable decision-makers to intelligently take into account environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6 requires that public agencies “adopt a reporting and monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” The Land Development Review Division is the primary group responsible for monitoring mitigation measures and works with other Development Services divisions and City departments, such as the

Engineering Department, to ensure compliance with codes and permit conditions during project implementation. The four basic steps in the monitoring process are as follows: 1) Discretionary Permit Review; 2) Plan Check; 3) Permit Compliance; and 4) Long Term Compliance.

Noticing Requirements

Notice of availability of environmental documents for public review and comment is published one time in the officially designated City newspaper and sent to all organizations and individuals who have previously requested such notice. A notice of availability is also sent to the officially recognized community planning committee representing the planning area involved, as well as to the local library. The Development Services Department may also send the notice to public review and comment once a draft environmental document has been prepared, the public review period is 20 calendar days for a Negative Declaration and 30 calendar days for an EIR. An additional ten calendar days for NDs and 15 calendar days for EIRs is required for projects that must also be acted upon by a responsible state or trustee agency or that have regional significance and are routed through the State Clearinghouse. All addenda for environmental documents certified more than three years previously are distributed for public review for 20 calendar days along with the previously certified environmental document. The Development Services Director may allow an additional review period not to exceed 14 calendar days, for good cause upon request of the affected officially recognized community planning group. At the end of the public review period, EAS staff responds to all written comments that address the adequacy or accuracy of the report and revises the report if necessary. The report is then available for the decision making process.

Findings and Statement of Overriding Considerations

If an EIR identifies one or more significant environmental impacts, CEQA states that the public agency cannot approve the project unless one or more written findings are made for each of the significant impacts, accompanied by a brief explanation of the rationale for each finding. Possible findings include:

- A statement that mitigation measures have been incorporated into the project, or
- A statement that mitigation measures are within the responsibility and jurisdiction of another public agency, or the community newspaper.
- A statement that there is substantiated evidence that there are specific economic, social, or other considerations that make infeasible the mitigation measures or alternatives identified in the final EIR.

If the impacts are not mitigated to a level below significance, and the City Council or other decision-maker wishes to approve the project, it would also be necessary to adopt a Statement of Overriding Considerations indicating that the benefits of a proposed project outweigh the unavoidable adverse environmental effects.

Certification/Approval

At the time of the public hearing, if the City Council or other decision-maker wishes to approve the project, the decision-maker must certify that the final environmental document has been completed in compliance with CEQA, that the document reflects the independent judgment of the decision-maker, and that the decision-maker reviewed and considered the information contained in the final environmental document prior to approving the project.

REVIEW PROCESS ROLES

There are four major parties involved in the project review process for development projects that require City approval. They are 1) the project customer, 2) the CPC, 3) City staff, and 4) the decision-maker (City staff, Hearing Officer, Planning Commission, and City Council). Each of these groups has very clearly defined roles established by state Law, City Charter, the Municipal Code, or Council Policy.

In order to further clarify the responsibilities of the planning committee and City staff, Information Bulletin 620 was developed through a collaborative effort between staff and representatives of the CPC. This document was also approved by the CPC.

Areas covered by the bulletin include a brief description of the project review process, the way communication and information transfers are to occur between the City and planning group, and the general timing of the review process and communication. A copy of this bulletin is distributed to the planning group by the City with the initial submittal of each project.

Information Bulletin 620

This section is excerpted from the June 1998 Bulletin entitled “Coordination of Project Management with CPC.” Two forms contained in the bulletin have not been provided.

The following guidelines outline the role of the development project manager and community planning committee in the City’s discretionary review process:

Preliminary Review Meetings

During the preliminary review meeting for a project, the applicant will be referred to the responsible community planning group(s) for the proposed project. At the conclusion of the preliminary review process, a copy of the meeting minutes, including any draft schedules, will be distributed to the planning group(s). The applicant will be responsible for contacting the group(s) if they choose to discuss the project prior to submittal of their application to the City. The City encourages early contact with and a presentation to the planning group(s). Project submittal and review upon submittal of a project to the City, the development project manager and team will establish a schedule with the objectives of creating a timely and predictable process for the applicant and the public; providing an efficient and effective review process; and providing for community participation. The following outlines the major project milestones and the procedure for interaction with the planning group(s):

Full Submittal/Notice of Application:

Upon receipt by the City of the full submittal for the purpose of deeming the project application complete, the planning group(s) will be notified of the application. At this time, the City will encourage the applicant to contact and make a presentation to the planning group(s). The planning group(s) will be provided a copy of the general application, development summary, site plans, and a community planning committee distribution form. Part 1 of this form may be used to provide the City with initial comments and issues regarding the project.

Assessment Letter:

At the conclusion of their review cycle, the City will provide the applicant an assessment letter detailing issues and any recommended modifications to the project. Should the schedule allow the planning group(s) to provide their comments to the City prior to issuance of the assessment letter, these comments will be included as an attachment. These comments shall be forwarded directly to the project manager to facilitate their inclusion in the assessment letter. Should the timing of the planning group(s) review meetings and the City's project schedule not allow the development project manager to include these comments with the assessment letter, they will be forwarded immediately to the applicant. A copy of the assessment letter will be provided to the planning group(s). Subsequent review and project changes:

Subsequent copies of the City's assessment letters will be provided to the planning group(s), as well as plans reflecting major revisions to a project.

Environmental Review Process:

Whenever possible, all project reviews shall be completed, and written comments submitted to the City, during the public review period offered by the environmental review process (substantive changes in projects subsequent to completion of the environmental review process will sanction further evaluation by the CPC[s]). The outcome of the planning group(s) actions shall be provided to the development project manager in an official correspondence (Part 2 of the CPC distribution form, meeting minutes, or a letter from the chairperson) in order to be included in the report to the decision-maker. During the public review period for the environmental document, public comment shall be provided to the City in accordance with the California Environmental Quality Act (CEQA); this comment shall be provided to the contact identified in the draft environmental document. The planning group(s) may also provide a copy of this comment to the development project manager.

Committee Review:

The project schedule shall assure that the planning group(s) has an opportunity to review and make recommendations on a timely basis. Project schedules, as developed and revised, shall be provided to the planning group(s). In the event the planning group(s) requires additional time above and beyond the project schedule to review and make their recommendation to the decision-maker, a request in writing for an extension shall be directed to the development review manager. This request shall outline the circumstances necessitating this need and the length of time of the extension.

Project Types

Development project managers will be available to attend the planning group(s) meetings for projects involving a high level of complexity or interest. Characteristics of these types of projects include, but are not limited to:

- Community plan amendments and/or rezonings;
- Projects requiring an Environmental Impact report;
- Projects which have community wide significance; and,
- Projects which are highly controversial and/or involve substantial community concern.

For all other projects, the community planner will have direct access to the development project manager and will be responsible for representing such projects to the planning group(s). When the planning group(s) believes a project has community significance, they may submit a request in writing to the development services manager requesting the development project manager attend a planning group(s) meeting for that project.

Time Certainty on the Planning Group(s) Agenda

In situations where a development project manager will be attending the planning group(s) meeting, time shall be set as “time certain” on the agenda for the project, or, such items shall be scheduled at the beginning of the planning group(s) meeting. This will ensure the most efficient use of the staff time and limit the total hours billed to an applicant for time expended on the project.

Single Point of Contact with the Planning Group(s)

The community planner will be a member of the project review team and will function as the primary liaison between the community and the City. When the community planner represents the City, they will provide general information regarding the project; however, specific details of the project will be the responsibility of the development project manager, who will act as the single point of contact for information on a project. For projects requiring attendance at a planning group meeting, the planning group(s) shall designate a representative to be the single point of contact for the development project manager. Should no person be designated, the planning group’s chairperson shall be deemed to be the point of contact. This arrangement will ensure a coordinated flow of information between the development project manager and the planning group(s) on all issues related to the project.

General Role Descriptions

Following is a general discussion on the roles and responsibilities of the four key groups involved in development review.

Project Customer Role

The project customer is required by the Municipal Code to make application for a permit or other approval because of the type of project proposed, where it is located, and the regulations applicable. They have a responsibility to submit a complete project application per the City’s submittal requirements and to diligently process their project through the review and construction process.

Project customers are not required to attend or make presentations to CPC for projects that require discretionary decisions. The customer is only required to provide an extra copy of the materials being reviewed by City staff. This copy is forwarded to the planning committee for their review and recommendation. City staff, however, encourage project customers to contact the appropriate planning committee early in the process and to work cooperatively with them throughout the project review.

Community Planners Committee

The responsibility of the CPC is established by Council Policy 600-24 and is provided in another section of this handbook. Review and recommendations on how well a proposed development project complies with the adopted community plan for an area is the primary responsibility of the planning committee. Committee recommendations are forwarded to staff and the decision-maker. All recommendations provided by the committee should cover whether a proposed project is consistent with the goals and objectives of the adopted Plan. If the committee feels there are conflicts, they should clearly indicate the specific provisions of their plan that the project or aspects of the project design conflict with.

As described in the Information Bulletin 620 section above, providing a timely recommendation to the City is also an important responsibility of the planning committee. Projects often go through months of review, involving a number of City staff review cycles. Providing an early recommendation makes the planning group's issues known during the time when most project changes are occurring. It also avoids placing the group in a position of requesting a delay in a project's schedule. Planning groups should make the best and timeliest recommendation they can with the project application materials that they have.

City Staff

There are two general groups of staff involved in project review -- the project multi-disciplinary team reviewers (MDT) and the development project managers (DPM). The MDT members are the staff responsible for determining if a proposed project complies with state and local land development policies and regulations. They represent expertise in the building and site engineering, planning, landscape architecture, and architecture disciplines. These reviewers are generally found in the City Planning and Community Investment, the Land Development Review Division, and the Building and Safety Division of the Development Services Department.

Each time a project is submitted for review, the appropriate project review team from this group of disciplines is formed. These staffs then make recommendations on the proposed project's compliance with applicable development standards and requirements during each review. The DPMs are responsible for process related matters on development projects. They have responsibility for all formal project communication between the customer and staff and with the community. Development projects are facilitated through the project review process by the DPM through project schedule monitoring MDT coordination. When design conflicts arise on a project between staff recommendations and a customer's proposal, the DPM has the responsibility to make sure the conflict is resolved in a timely manner. Information Bulletin 620 clarifies the role of a DPM relative to working with the CPC. Like the planning committee, City staff's overall

role is to ultimately provide a recommendation to the decision-maker on whether a project should be approved or denied and to provide alternatives for the consideration.

Decision-Maker

The decision-maker varies on development projects based on several factors. These include the type of project proposed (rezoning, conditional use permit, building permit, etc.); the location of the project (Coastal Zone, Community Plan Implementation Overlay Zone, Beach Impact Area, etc.); and what is on the property (wetlands, historic structures, steep slopes, etc.). Projects with detailed regulations and no discretion exercised are typically decided by staff. Projects with discretion as provided in the Municipal Code are decided at a public hearing by either a Hearing Officer, the Planning Commission, or City Council.

The decision-maker's role is to review the evidence provided by the customer, planning committee, and staff and then make a decision on the project. The Municipal Code identifies the basis to be used by each decision-maker in approving or denying a project. They must provide the basis or evidence for their decision as part of the project's public record.

THE LAND DEVELOPMENT CODE AND THE REVIEW PROCESS

The Land Development Code (LDC) is the title given to Chapters 10-15 of the San Diego Municipal Code. These chapters contain development regulations applicable to all development in San Diego. On January 3, 2000, the new code became effective for all development submitted for permits or approvals.

As part of the adoption process for the LDC, the City Council directed staff to have a regular update process for the code during the first two years of implementation. The update process is aimed at making necessary corrections to further clarify the code as well as to consider substantive changes to address development issues identified by staff and the community. A citizen's committee made up of planning committee, property owner, business, design professional, and other stakeholder group representatives was formed to help advise staff during this update process.

User's Guide Introduction

This section is an excerpt from the Land Development Manual User Guide, December 1999. The User's Guide was written to assist property owners and those in the building industry who are applying for permits to use or develop land in the City of San Diego. The purpose of the User's Guide is to explain how to find information in the Land Development Code.

The User's Guide contains examples from the Land Development Code regulations for illustration purposes only.

What Is the Land Development Code?

Chapters 10-15 of the Municipal Code are referred to as the Land Development Code. These chapters contain the City's planning, zoning, subdivision, and building regulations, with the

exception of the planned district ordinance regulations, as discussed below. The Land Development Code is one of the tools used to implement the Progress Guide and General Plan and the community plans, which establish the pattern and intensity of land use throughout the City.

How Are Planned District Ordinances Affected by the Land Development Code?

Planned district ordinances are special zoning regulations that have been adopted by the City Council for certain geographic areas of the City. The Planned districts have not been incorporated into the Land Development Code and remain in Chapters 10 and 15 of the Municipal Code. Although the planned districts remain in effect, where they rely on Citywide zoning, subdivision, or building regulations, the new Chapter 11-14 regulations will apply and the planned districts have been amended to refer to the new chapters.

Why Was the Land Development Code Adopted?

The preparation of the Land Development Code was initiated as part of the City's effort to simplify the development process. Before adoption of the Land Development Code on September 28, 1999, planning, zoning, subdivision, and building regulations were scattered throughout several chapters of the Municipal Code. Additional requirements were contained in Council Policies, technical manuals, and development guidelines. Finding all of the requirements that applied to a proposed development had become increasingly difficult as the City's land development process grew more complex over the last several years. In many cases, the regulations had also become too complicated and the review process, too unpredictable.

The Land Development Code consolidates all development regulations into a sequence of four chapters of the Municipal Code. Technical manuals, standards, and guidelines are being consolidated into a Land Development Manual that is referenced by the code where applicable (see page 15). Use and development regulations have been simplified, where appropriate, and organized into tables. The review process has been streamlined by reducing the number of different types of permits from over 80 to 14, 7 of which are discretionary permits, and by establishing a uniform decision process.

Finding Information in the Land Development Code

Several tools have been incorporated into the Land Development Code to make the regulations easier to find and understand.

- The Land Development Code, like other parts of the Municipal Code, is organized by chapters, articles, divisions, and sections. All regulations in the Land Development Code are identified by a seven-digit number, which is referred to as the "section number." By reading the section number from left to right, you can tell in which chapter, article, and division the section is located.

EXAMPLE

§111.0101			
Chapter 11	Article 1	Division 1	Section 1

- Chapters have been organized by topic, with Chapters 11 and 12 providing the procedures for review and approval of applications for development, and Chapters 13 and 14 providing the regulations that govern the use, design, and construction of buildings. A more detailed outline of the chapters is provided below.
- Each chapter contains a table of contents that identifies all articles, divisions, and sections in the chapter so that the user can find information more quickly.
- Each chapter, article, division, and section has been titled to reflect the content of the regulations.

Chapter Outline

Chapter 11	
LAND DEVELOPMENT REVIEWS	
Article 1	General Rules and Authority
Article 2	Required Steps in Processing
Article 3	Land Development Terms

Chapter 13	
ZONES	
Article 1	Base Zones
Article 2	Overlay Zones

Chapter 12	
LAND DEVELOPMENT REVIEWS	
Article 1	General Information on Required Review and Enforcement
Article 2	Land Use Plans
Article 3	Zoning
Article 4	Agreements
Article 5	Subdivision Procedures
Article 6	Development Permits
Article 7	Previously Conforming Premises and Uses
Article 8	Implementation Procedures for CEQA and the State CEQA Guidelines
Article 9	Construction Permits

Chapter 14	
GENERAL REGULATIONS	
Article 1	Separately Regulated Use Regulations
Article 2	General Development Regulations
Article 3	Supplemental Development Regulations
Article 4	Subdivision Regulations
Article 5	Building Regulations
Article 6	Electrical Regulations
Article 7	Plumbing and Mechanical Regulations

- Pages in the Land Development Code are numbered differently than other parts of the Municipal Code. At the bottom of each page is a box that provides the chapter, article, and division number, as well as the page number. Pages are numbered by division.

EXAMPLE

Ch. Art. Div.			
13	1	5	21

How to Find the Zoning Regulations for Your Property

The first step in determining the zoning regulations that apply to your property is to find your site on the Official Zoning Maps. These maps show the base zones and overlay zones for all private property in the City (*see discussion on page five for a description of base zones and overlay zones*). The Official Zoning Maps are available for viewing or purchase from the Development Services Division. Zone information may also be obtained by phone by calling 619-446-5000. You will need to provide the street address or the legal description of the property.

After you've determined in which base zone your property is located, refer to Chapter 13, Article 1 to find the permitted uses and the applicable development regulations as described in the sections below. If your property is also within an overlay zone, refer to Chapter 13, Article 2 to find the supplemental regulations.

How to Determine What Uses Are Allowed on Your Property

Look in Chapter 13, Article 1, Divisions 1-6 to find the uses permitted in each base zone. Divisions 2-6 contain a use regulations table that lists the permitted uses for each zone, those that are allowed with specified limitations, and those that require a use permit.

The tables do not list every use that may be allowed in each zone; they identify use categories and subcategories, which are groups of uses that have similar physical or operating characteristics. In the example of the use regulations table on page 6, the table shows the use categories of "Vehicle & Vehicular Equipment Sales & Service," "Wholesale, Distribution, Storage," and "Industrial." Subcategories are listed for each of these categories. Descriptions of the use categories and subcategories are provided in Chapter 13, Article 1, Division 1. If you are unsure what use category or subcategory a particular use would be in, review the descriptions in Division 1.

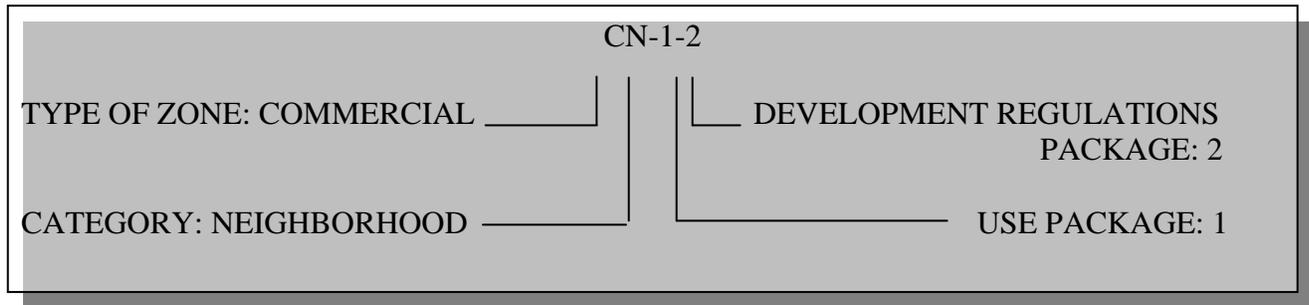
Some uses that are allowed in certain base zones may be accessory uses in other zones. The regulations for accessory uses are in Chapter 13, Article 1, in the section titled "Additional Use Regulations" for the base zone.

What Are Base Zones?

All private property in the City is in a base zone. Base zone designations identify the uses allowed on a property and the development regulations that apply to the property. The base zone is composed of four designators:

- The 1st designator is a letter that identifies one of five basic zone types - agriculture (A), open space (O), residential (R), commercial (C), or industrial (I)
- The 2nd designator is a letter that identifies a more specific category of agriculture, open space, residential, commercial, or industrial zone - for example, multi-unit residential (RM) or neighborhood commercial (CN)
- The 3rd designator is a number that identifies a package of uses that may be permitted (called a use package)
- The 4th designator is a number that identifies a package of development regulations, such as maximum height or lot size (called a development regulations package)

BASE ZONE EXAMPLE



What Are Overlay Zones?

Some properties may also be in an overlay zone. Overlay zones are applied to specific geographic areas to modify the regulations of the base zone. Overlay zones address specific issues such as development of property surrounding an airport, special height limits, additional parking requirements, or design requirements to implement a community plan. Overlay zones are applied in conjunction with a base zone and are designated on the official zoning maps with the acronym formed by the title of the overlay zone shown after the base zone. For example, where the Community Plan Implementation Overlay Zone has been applied to a neighborhood commercial site, the zone would be shown as CN-1-2/CPIOZ.

Use Categories/Subcategories (See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses)	Zone Designator	Zones		Zones												
		1 st & 2 nd ▶		CN ⁽¹⁾ -			CR-		CO-		CV-		CP-			
		3 rd ▶		1-	1-	2-	1-	1-	1-	2	1	2	1			
		4 th ▶		1	2	3	1	1	1	2	1	2	1			
Vehicle & Vehicular Equipment Sales & Service																
Commercial Vehicle Repair & Maintenance		-			P	P	-	-	-							
Commercial Vehicle Sales & Rentals		-			P	P	-	-	-							
Personal Vehicle Repair & Maintenance		-			P	P	-	-	-							
Personal Vehicle Sales & Rentals		-			P	P	-	-	-							
Vehicle Equipment & Supplies Sales & Rentals		-			P	P	-	-	-							
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses																
Automobile Service Station		-			C	C	C	C	C							
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a Primary Use		-			C	C	-	-	-							
Wholesale, Distribution, Storage																
Equipment & Materials Storage Yards		-			C	C	-	-	-							
Moving & Storage Facilities		-			-	P	-	-	-							
Warehouses		-			-	P ⁽⁸⁾	-	-	-							
Wholesale Distribution		-			-	P ⁽⁸⁾	-	-	-							
Separately Regulated Wholesale, Distribution, and Storage Uses																
Impound Storage Yards		-			-	-	-	-	-							
Junk Yards		-			-	-	-	-	-							
Temporary Construction Storage Yards Located off-site					L	L	L	L	L							

A portion of the use regulations table from the commercial zones is shown above. This example shows the CN-1-1, CN-1-2, CN-1-3, CR-1-1, CR-2-1, CO-1-1, CO-1-2, CV-1-1, CV-1-2 and CP-1-1 zones.

To find the uses allowed on your property, first find your zone category (the 1st and 2nd designators) and use package (the 3rd designator) in the column headings. (The 4th designator shows the development regulations packages that apply in each zone.) Next, look at the use categories and subcategories in the left-hand column to find the uses that are allowed in each zone. The tables indicate allowed uses in four ways:

“P” indicates that the use is permitted by right, which means that no additional review or action by the City is required for this use to occur, other than the processing of construction permits.

“L” indicates that the use is permitted with limitations. The limitations may consist of minimum development standards, restrictions on operations, or other supplemental regulations. These supplemental regulations are in Chapter 14, Article 1 (Separately Regulated Use Regulations).

“N” indicates that the use requires approval of a Neighborhood Use Permit (NUP). The NUPs are required for those uses that have the potential for limited, identifiable impacts on surrounding development within the immediate area. Uses requiring an NUP may be permitted in accordance with Process Two. The procedure for obtaining an NUP is described in Chapter 12, Article 6, Divisions 1 and 2. The development regulations for NUPs are in Chapter 14, Article 1.

“C” indicates that the use requires approval of a Conditional Use Permit (CUP). The CUPs are required for those uses that have the potential for significant impacts on surrounding development within a wide area. Uses requiring a CUP may be permitted in accordance with Process Three, Process Four, or Process Five. The procedure for obtaining a CUP is described in Chapter 12, Article 6, Divisions 1 and 3. The development regulations for CUPs are in Chapter 14, Article 1. The decision process for each use is also identified in Chapter 14, Article 1.

A use category or subcategory that is not permitted (not allowable) is shown as “-”.

How to Find the Regulations Governing The Size and Scale Of Development

Chapter 13 Zones	
Article 1	Base Zones
Division 1	General Rules for Base Zones
Division 2	Open Space Base Zones
Division 3	Agricultural Base Zones
Division 4	Residential Base Zones
Division 5	Commercial Base Zones
Division 6	Industrial Base Zones

Look in Chapter 13, Article 1, Divisions 2-6 to find the basic development regulations that govern the size and scale of development such as permitted density, requirements for lot size, setbacks, and structure height. Each division contains a development regulations table that lists

the basic development regulations for each base zone. The tables also refer to other sections in the Land Development Code that contain additional regulations that are applicable in the base zone.

The development regulations tables for each type of zone are set up with a parallel structure to make finding the applicable regulations and comparing regulations among zones easier.

A section of the development regulations table from the commercial zones is shown below. This example shows the CR-1-1, CR-2-1, CO-1-I, CO-1-2, CV1-1, CV-1-2 and CP-1-1 zones. To find the regulations for your property, first find your zone category (the 1st and 2nd designators) and development regulations package (the 4th designator) in the column headings. (The 3rd designator shows the use regulations packages that apply in each zone.) Next, look at the left-hand column to find the regulations for lot area, lot dimensions, setbacks, height, etc.

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones						
	1 st & 2 nd ▶	CR-		CO-		CV-		CP-
	3 rd ▶	1-	2-	1-		1-		1-
	4 th ▶	1	1	2	1	2	1	
Lot area								
Min Lot Area (sf)		15,000	5,000	5,000	15,000	5,000	--	
Lot dimensions								
Min Lot Width (ft)		100	50	50	100	50	--	
Min <i>street frontage</i> (ft)		100	50	50	100	50	--	
Min Lot Depth (ft)		100	100	100	100	100	--	
Setback requirements								
Min Front <i>setback</i> (ft)		10	10	10	10	--	10	
Max Front <i>setback</i> (ft)		--	25 ⁽²⁾	--	--	10 ⁽²⁾	--	
[See Section 131.0543(a)(1)]								
Min Side <i>setback</i> (ft)		10	10	10	10	10	10	
Optional Side <i>setback</i> (ft)		--	0 ⁽³⁾	0 ⁽³⁾	--	0 ⁽³⁾	--	
Side Setback abutting residential		applies	applies	applies	applies	applies	applies	
[See Section 131.0543(a)(1)]								
Min Street Side <i>setback</i> (ft)		10	10	10	--	--	--	
Max Street Side <i>setback</i> (ft)		--	25 ⁽²⁾	--	--	10 ⁽²⁾	--	
[See Section 131.0543(a)(1)]								
Min Rear setback (ft)		10	10	10	10	10	10	
Optional Rear setback (ft)		--	0 ⁽³⁾	0 ⁽³⁾	--	0 ⁽³⁾	0 ⁽³⁾	
Rear Setback abutting residential		applies	applies	applies	applies	applies	applies	
[See Section 131.0543©]								
Max structure height (ft)		60	45	60	60	45	30	

In most cases the regulation will be specified in the table. In some cases the left-hand column of the table will contain a reference to another section in the Land Development Code (see “Supplemental residential regulations” for example). The referenced section will provide additional regulations or clarification on the circumstances in which the regulations apply. If a footnote number is shown in the cells containing the regulation (see “Setback requirements” for example), the footnotes at the end of the table will provide additional regulations or provide the code section that contains the additional regulations.

How to Find Other Development Regulations That Apply to Your Property

After you've found the use and development regulations for the base zone and any overlay zones, if applicable, look in Chapter 14 for additional citywide development regulations that apply in all zones.

Chapter 14 GENERAL REGULATIONS	
Article 1	Separately Regulated Use Regulations
Article 2	General Development Regulations
Article 3	Supplemental Development Regulations
Article 4	Subdivision Regulations
Article 5	Building Regulations
Article 6	Electrical Regulations
Article 7	Plumbing and Mechanical Regulations

If you're developing a limited use (identified in the use regulations tables with an "L"), a use that requires processing a Neighborhood Use Permit (identified in the use regulations tables with an "N"), or a Conditional Use Permit (identified in the use regulations tables with a "C") you'll need to look in Chapter 14, Article 1, Division 1 (Separately Regulated Use Regulations) for the applicable development regulations. The regulations in this division are organized by use in the same order as they appear in the use regulations tables.

All development is subject to the general development regulations in Chapter 14, Article 2, whether or not a permit or other approval is required. This article includes regulations for grading, drainage, fences, landscaping, parking, equipment screening, loading areas, outdoor storage, and signs. If the regulations require that you obtain a permit for certain types of development, an applicability table will refer you to the appropriate sections within each division for the type of development proposed.

If you're developing property that contains environmental or historical resources, look in Chapter 14, Article 3; Divisions 1 and 2 for the supplemental resource regulations.

If you're proposing a development that requires a Neighborhood Development Permit or a Site Development Permit (identified in the base zone development regulations), look in Article 3, Division 3 for the supplemental development standards. If you're proposing a Planned Development Permit, look in Article 3, Division 4 to find the minimum development standards. If you're developing a single room occupancy hotel (SRO), discontinuing a mobile home park,

developing affordable housing, or converting or demolishing affordable housing in the Coastal Overlay Zone, you will need to review Chapter 14, Article 3, Divisions 5-8 for the applicable regulations.

All development is subject to Chapter 14, Articles 4-7, which contain the regulations for subdivisions, and the Building Regulations, Electrical Regulations, and Plumbing and Mechanical Regulations.

Types of Permit Review

The Land Development Code establishes two general types of permit review: development review and construction review.

Development review is a review of conceptual or schematic plans. The decision-maker must exercise some discretion in determining whether the proposed development meets the applicable regulations, standards, and guidelines. A public hearing before the decision-maker is required for projects subject to development review. The types of development proposals that require development review are subdivision maps and development permits (development permits are described below).

Construction review is a review of final or construction plans. The decision-maker's review is administrative or ministerial. The permit is approved if the regulations are met or denied if the regulations are not met. There is no public hearing. The types of permits that require construction review are grading permits, building permits, electrical permits, plumbing and mechanical permits, right-of-way permits, and sign permits.

Types of Development Permits

The Land Development Code establishes seven types of development permits through which development review is conducted.

Neighborhood Use Permits (NUPs) are required for uses that have the potential for limited and identifiable impacts on surrounding development within an immediate area. These uses are identified with the letter "N" in the use regulations tables in Chapter 13, Article 1, Divisions 2-6. Supplemental regulations are provided for these uses in Chapter 14, Article 1. Expansion, enlargement, or resumption of a previously conforming use also requires an NUP. (Regulations for previously E-22 conforming uses are in Chapter 12, Article 7.) Regulations for processing NUPs are in Chapter 12, Article 6, Divisions 1 and 2.

The NUPs are processed in accordance with Process Two.

Conditional Use Permits (CUPs) are required for uses that have the potential for significant impacts on surrounding development within a wide area. These uses are identified with the letter "C" in the use regulations tables in Chapter 13, Article 1, Division 2-6. The purpose of the CUP process is to determine whether, and under what conditions, a specific use may be appropriate in a given location. Supplemental regulations for these uses are provided in Chapter 14, Article 1.

Regulations for processing CUPs are in Chapter 12, Article 6, Divisions 1 and 3. The CUPs are processed in accordance with Process Three, Process Four, or Process Five.

Neighborhood Development Permits (NDPs) are required for developments that have the potential for limited impacts on surrounding property. The base zone regulations specify what types of development proposals require an NDP. Supplemental development regulations are provided in Chapter 14, Article 3, Division 3. Regulations for processing NDPs are in Chapter 12, Article 6, Divisions 1 and 4. NDPs are processed in accordance with Process Two.

Site Development Permits (SDPs) are required for developments that, because of their location, size, or some other characteristic, may have significant impacts on resources or on the surrounding area. The base zone regulations specify what types of development proposals require an SDP. Supplemental regulations are provided in Chapter 14, Article 3, Division 3. Regulations for processing SDPs are in Chapter 12, Article 6, Divisions 1 and 5. The SDPs are processed in accordance with Process Three, Process Four, or Process Five.

Planned Development Permits (PDPs) are an optional permit process that allows flexibility in the application of development regulations in exchange for imaginative and innovative design. Minimum Planned development standards are provided in Chapter 14, Article 3, Division 4. Regulations for processing PDPs are in Chapter 12, Article 6, Divisions 1 and 6. The PDPs are processed in accordance with Process Three, Process Four, or Process Five.

Coastal Development Permits (CDPs) are required for development in the Coastal Overlay Zone, except as provided in Chapter 12, Article 6, Division 7. Regulations for processing CDPs are in Chapter 12, Article 6, Divisions 1 and 7. The CDPs are processed in accordance with Process Two or Process Three.

Variances are an optional permit process that provides relief from the strict application of development regulations where reasonable use of the property would otherwise be denied because of special circumstances unique to the property. Regulations for processing variances are in Chapter 12, Article 6, Divisions 1 and 8. Variances are processed in accordance with Process Three.

Decision Process

All permits to use or develop land that are issued by the City of San Diego fall under one of five process types described earlier in the manual.

Zone Conversion Chart

On the effective date of the Land Development Code, all zones that were established in Municipal Code Chapter 10, Article 1, Division 4 will be amended and replaced with the zones. E-23 established in Chapter 13, Article 1 (Base Zone) and Article 2 (Overlay Zones). The tables below list the Chapter 10 zones and the replacement Chapter 13 zones.

Chapter 10 Zone	Chapter 13 Zone	Chapter 10 Zone	Chapter 13 Zone
OS-P, OS-R	OP-1-1	no existing zone	RT-1-1
OS-OSP	OP-2-1	no existing zone	RT-1-2
FC, FW	OF-1-1	no existing zone	RT-1-3
OS-TDR	no proposed zone	no existing zone	RT-1-4
no existing zone	OC-1-1	R-3000	RM-1-1
no existing zone	OR-1-1	R-2500	RM-1-2
no existing zone	OR-1-2	R-2000	RM-1-3
A-1-5, A-1-10	AR-1-1	R-1750	RM-2-4
A-1-1	AR-1-2	R-1500	RM-2-5
A-1-20	no proposed zone	R-1250	RM-2-6
A-1-40	no proposed zone	R-1000	RM-3-7
no existing zone	AG-1-1	R-800	RM-3-8
no existing zone	AG-1-2	R-600	RM-3-9
Chapter 10 Zone	Chapter 13 Zone	R-400	RM-4-10
no existing zone	RE-1-1	R-200	RM-4-11
no existing zone	RE-1-2	RV	RM-5-12
no existing zone	RE-1-3	CN	CN-1-2
R1-40,000 in urbanized communities	RS-1-1	CA	CC-1-3
R1-20,000 in urbanized communities	RS-1-2	CA-RR	CC-2-3
R1-15,000 in urbanized communities	RS-1-3	CC	CC-3-5
R1-10,000 in urbanized communities	RS-1-4	CO	CO-1-2
R1-8,000 in urbanized communities	RS-1-5	CR	CV-1-1
R1-6,000 in urbanized communities	RS-1-6	CV	CV-1-2
R1-5,000 in urbanized communities	RS-1-7	C,C/PCOZ	CC-4-5
R1-40,000 in planned/future urbanizing areas	RS-1-8	C-1	CC-4-2
R1-20,000 in planned/future urbanizing areas	RS-1-9	C-1/PCOZ	CC-4-4
R1-15,000 planned/future urbanizing areas	RS-1-10	CBD	CR-1-1
R1-10,000 in planned/future urbanizing areas	RS-1-11	CP	CP-1-1
R1-8,000 in planned/future urbanizing areas	RS-1-12	no existing zone	CN-1-1, CN-1-3
R1-6,000 in planned/future urbanizing areas	RS-1-13	no existing zone	CC-1-1, CC-1-2
R1-5,000 in planned future urbanizing areas	RS-1-14	no existing zone	CC-2-1, CC-2-2
no existing zone	RX-1-1	no existing zone	CC-3-5
R1-5,000/SLO	RX-1-2	no existing zone	CC-4-1, CC-4-3, CC-4-5
no existing zone	CC-5-1, CC-5-2 CC-5-3, CC-5-4, CC-5-5	M-SI	IS-1-1
no existing zone	CR-2-1	M-1, M1-A	IL-3-1
no existing zone	CO-1-1	M-2, M-2A, M-LI	IH-2-1
SR	IP-1-1	No existing zone	IL-1-1
M-IP	IP-2-1	No existing zone	IH-1-1
M-IB	IL-2-1		

Chapter 10 Overlay Zone	Chapter 13 Overlay Zone
Airport Approach Overlay Zone (101.0445)	Airport Approver Overlay Zone (132.0201)
Airport Environs Overlay Zone (101.0444)	Airport Approach Overlay Zone (132.0201)
No existing zone (regulations currently in zone regulations)	Coastal Overlay Zone (132.0401)
Limitations of Height of Buildings in the Coastal Zone (101.0451)	Coastal Height Limit Overlay Zone (132.0501)
Sensitive Coastal Resource Overlay Zone (101.0480)	Sensitive Coastal Overlay Zone (132.0601)_
Mobile Home Parks (101.1000)	Mobile home Park Overlay Zone (132.0701)
no existing zone	Parking Impact Overlay Zone (132.0801)
no existing zone	Residential Tandem Parking Overlay Zone (132.0901)
no existing zone	Transit Area Overlay Zone (132.1001)
no existing zone	Urban Village Overlay Zone (132.1101)
Mission Trails Design District (101.0456)	Mission Trails Design District (132.1201)
Height Limitation Zone – Clairemont Mesa (101.0452.5)	Clairemont Mesa Height Limit Overlay Zone (132.1301)
Community Plan Implementation Overlay Zone (101.0457)	Community Plan Implementation Overlay Zone (132.1401)
Hillside Review Overlay Zone (101.0454)	none (replaced by Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands)
Small Lot Overlay Zone (101.0455)	none (replaced by residential zones)
Pedestrian/Commercial Overlay Zone (101.0458)	none (replaced by commercial zones)
Centre City Overlay Zone (101.0459)	none (replaced by Centre City Planned District)
Institutional Overlay Zone (101.0460)	none
Single-Family Rental Overlay Zone (101.0461)	none (parking regulations replaced by the Parking Impact Overlay Zone)
Resource Protection Ordinance (101.0462)	none (replaced by Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands)
One-Family Dwelling Rental Regulations (101.0463)	none (parking regulations replaced by the Parking Impact Overlay Zone)

LAND DEVELOPMENT MANUAL
Outline

INTRODUCTION

Scope
Amendments
Chapter Summaries

VOLUME 1 APPLICATIONS

Chapter 1 Land Development Permit Thresholds

When Do I Need to Get a Development Permit?
Chapter 2 Submittal Requirements
Chapter 3 Fees and Deposits

VOLUME 2 DEVELOPMENT REVIEW

Chapter 1 Biology Guidelines
Chapter 2 Coastal Bluffs and Beaches Guidelines
Chapter 3 Historical Resources Guidelines
Chapter 4 Landscape Guidelines

APPENDICES

[The following are existing support documents that will be considered appendices to the Land Development Manual.]

- A. City C.E.Q.A. Guidelines
- B. Drainage Design Manual
- C. Equestrian Trails and Facilities
- D. Technical Guidelines for Geotechnical Reports
- E. Manual for Preparation of Land Development and Public Improvement Plans
- F. Reclaimed Water Manual
- G. Solar Design Guidelines for Subdivision and PRDs
- H. Standard Drawings
- I. Street Design Manual
- J. Subdivision Approval Process Manual
- K. Subdivision Manual
- L. Temporary Off-Premises Subdivision Directional Signs
- M. Transit-Oriented Development Design Guidelines
- N. Trip Generation Manual
- O. Water and Sewer Design Guide



LAND DEVELOPMENT MANUAL SUMMARY

The Chapters of the Land Development Manual are summarized below. For each chapter there is a brief description, the department and division responsible for its implementation, and the date of the latest update. Note that Volumes I and II will be adopted concurrent with the code update, while the appendices are existing documents.

CHAPTER	DESCRIPTION	RESPONSIBLE DEPT. DIV.	LATEST UPDATE
1. LAND DEVELOPMENT PERMIT THRESHOLDS	Explains when a permit is required.	Development Services/Land Development Review	To be prepared after code adoption.
2. SUBMITTAL REQUIREMENTS	Identifies submittal requirements for all development approval processes.	Development Services/Land Development Review	Updated May 2004
3. FEES AND DEPOSITS	Identifies fees/deposits for all development approval processes.	Development Services/Land Development Review	Updated May 2004
VOLUME II: DEVELOPMENT REVIEW			
1. BIOLOGY GUIDELINES	Guidelines to aid in the implementation of the Environmentally Sensitive Lands Regulations (ESL) and the Open Space Residential (OR-1-2) Zone, and to provide standards for the determination of impact and mitigation under CEQA.	Development Services/Land Development Review	To be adopted with code adoption.
2. COASTAL BLUFFS AND BEACHES GUIDELINES	Clarifies environmentally sensitive lands regulations for coastal bluffs and beaches. Explains how to measure coastal bluff edge.	Development Services/Land Development Review	To be adopted with code adoption.
3. HISTORICAL RESOURCES GUIDELINES	Guidelines to be used in conjunction with the Historical Resources regulations, also includes archaeology guidelines.	Development Services/Land Development Review	To be adopted with code adoption.
4. LANDSCAPE GUIDELINES	Establishes the landscape standards, guidelines, and criteria for both public and private projects necessary to implement the various requirements associated with land development.	Development Services/Land Development Review	To be adopted with code adoption.
5. STEEP HILLSIDE GUIDELINES	Standards and guidelines intended to assist in the interpretation and implementation of the development regulations for steep hillsides.	Development Services/Land Development Review	To be adopted with code adoption.

CHAPTER	DESCRIPTION	RESPONSIBLE DEPT. DIV.	LATEST UPDATE
APPENDICES			
A. CEQA GUIDELINES—CITY	Local policies and procedures for implanting the California Environmental Quality Act.	Development Services/Land Development Review	January 1994
B. DRAINAGE DESIGN MANUAL	A guide for designing drainage and drainage-related facilities.	Development Services/Land Development Review	April 1994
C. EQUESTRIAN TRAILS AND FACILITIES	Guidelines for development and maintenance, as well as recommendations and priorities for public developed equestrian trails.	Development Services/Community Planning & Development	February 1975
D. GEOTECHNICAL REPORTS; TECHNICAL GUIDELINES FOR	Guidelines for preparation of geological reports.	Development Services/Land Development Review	October 1988
E. LAND DEVELOPMENT AND PUBLIC IMPROVEMENT PLANS; MANUAL FOR THE PREPARATION OF	Guidelines for preparation and submittal of grading, landscape and public improvement plans, including sample bond estimates and drawings.	Development Services/Land Development Review	1987
F. RECLAIMED WATER MANUAL	Provides standards and guidelines for design and installation of distribution and irrigation systems that use reclaimed water.	Water Utilities/Water Distribution	1993
G. SOLAR DESIGN GUIDELINES FOR SUBDIVISIONS AND PLANNED RESIDENTIAL DEVELOPMENTS	Guidelines for location and orientation of structures to achieve optimal passive solar energy opportunities.	Development Services/Land Development Review	December 1985
H. STANDARD DRAWINGS	Includes standard detail and design drawings for various structures, drainage systems, electrical systems, surface improvements, sewage systems and irrigation systems.	Engineering and Capital Projects/Design	September 1994
I. STREET DESIGN MANUAL	Standards and guidelines for the design of public and private streets.	Engineering and Capital Projects/Design	July 1987. A draft update is under consideration by Council.
J. SUBDIVISION APPROVAL PROCESS MANUAL	Procedure manual for processing subdivision maps.	Development Services/Land Development Review	1967



CHAPTER	DESCRIPTION	RESPONSIBLE DEPT. DIV.	LATEST UPDATE
K. SUBDIVISION MANUAL	Provides standards, guidelines and requirements for submittal, production and review of subdivision maps and documents related to interests in real property.	Development Services/Land Development Review	1983. Update to be prepared.
L. TEMPORARY OFF-PREMISES SUBDIVISION DIRECTIONAL SIGNS	Application criteria, locational criteria and construction and maintenance standards	Development Services/Land Development Review	May 1985
M. TRANSIT-ORIENTED DEVELOPMENT DESIGN GUIDELINES	Development patterns and design guidelines to reduce automobile dependence and support alternative modes of transportation.	Development Services/Community Planning & Development	August 1992
N. TRIP GENERATION MANUAL	A collection of information about vehicular traffic attracted to and produced by different uses of land.	Development Services/Community Planning & Development	August 1990
O. WATER & SEWER DESIGN GUIDE	Summarizes/outlines policy, practices and procedures for planning/design of sewer and water facilities. Developed to increase efficiency of W.U.D. operations.	Engineering & Capital Projects/Water & Waste Water Facilities	September 1994

TIPS FOR SUCCESSFUL COMMITTEE INPUT ON DEVELOPMENT PROJECTS

Top Tips

- ▶ Make a recommendation on the project at the earliest possible time (target the end of the first staff review cycle, which is generally 30 days after a project has been distributed to the group). This lets staff know your group's concerns and allows staff to coordinate issues with their comments. In addition, customers are more likely to make suggested project changes earlier in the process rather than at the end after several review cycles. Do not wait until the environmental document is complete.
- ▶ Make a recommendation on a project -- even if the customer does not come to your meeting, provide you with information you have requested, or act in a professional manner. Communicate through your chair with the development project manager assigned to the project. The assigned DPM is your contact point to find out the project status, to get committee recommendations to, and to identify process concerns with. Having multiple committee members contacting various staff will result in inconsistent communication on the current status of a project and a false sense of committee issues.
- ▶ Encourage residents in your planning committee area to access project information through the planning committee. It is more convenient for them to look at plans closer to their homes and businesses than to come to the City. It also allows them to find out the committee review status and position on new projects.
- ▶ Do your best to make customers feel they are being treated and reviewed in a professional manner. Customers that are listened to, offered options, and communicated with will be more responsive to committee concerns.
- ▶ If you recommend denial of a project, make sure your reasons are clearly stated and provide alternatives that would be more satisfactory to your committee. Always assume the project could be approved as proposed by the customer. If you provide alternatives that are more acceptable, the decision-maker may incorporate them into the design.
- ▶ Look at every resubmittal on a project since projects often change during the review process. If the committee has taken a position on a proposed project early in the review process, the committee should verify that the project design has not changed in a way that would affect that position.



Learning to Read Plans

The following information is excerpted from the “Planning Commissioner’s Handbook 2000” by the League of California Cities. It provides instruction on the basics of plan review and some helpful references for planning committee members who review development projects. Maps, plans, and drawings are the tools of planners and developers. Over time, planners and architects have developed a specialized language of contour lines, symbols and abbreviations to more uniformly describe development projects. While extremely efficient, the language of planning is not common knowledge among the lay public, and many planning commissioners must learn to interpret maps and plans from scratch.

Contour Lines

Contour lines are the primary two-dimensional graphic vehicle used to express three dimensional ground from. A contour line connects all points of equal elevation above or below a known or assumed reference point or plane. Therefore, all points on the contour line have the same elevation.

Contour lines are used to study proposed changes in land form, and eventually to guide and direct the work of earthmoving contractors in executing a grading project. Contours show land forms, i.e., a hill, a valley, ridge, etc. They show the relationship of land forms - this hill to that valley, to this stream and finally to the ocean, etc. As contours are shown two-dimensionally, the scaled distance between them is exactly the same as in the field.

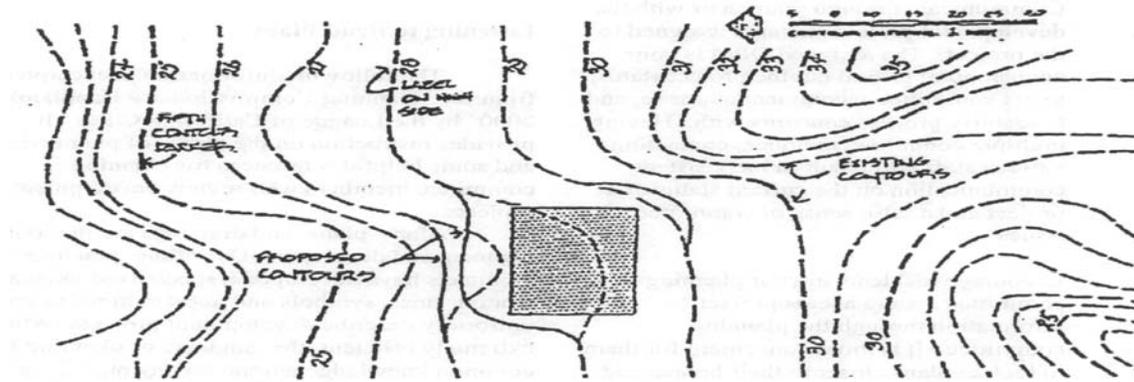
All contour Plans have a contour interval which remains the same over the entire drawing. This interval stands for the vertical distance between contours, and is always indicated somewhere on the Plan.

Proposed and existing contours are both shown on the same drawing. By showing both on the same drawing, it is possible to understand the exact location of work to be performed and the exact amount of work to be done. Existing contours are shown by a light dashed line (usually 1/4”-long, spaced about 1/16” apart). Every fifth contour is shown slightly darker for easy legibility. Proposed contours are shown as a solid light line. This solid line begins where you propose to make a grading change, and moves away from the existing (dashed) contour, returning to the existing (dashed) contour at the end of the proposed grading change. It is therefore possible to “read” the change by studying the area between proposed contours and existing contours.

Contour lines are labeled with the number on the high side of the contour. Contour lines correspond to a selected interval which may be 1’, 2’, 10’, etc.

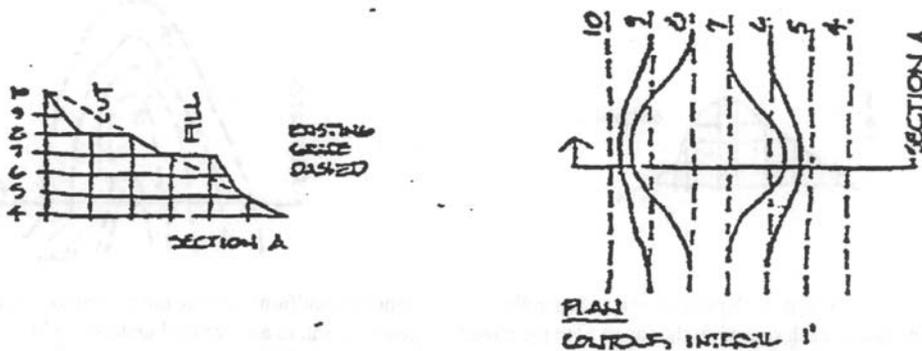


Generally, all contour lines on a map indicate the same interval and the interval should be labeled somewhere on the map.



In an area of slight relief or generally flat and level country, the vertical interval may be as low as one foot, whereas in an area of marked relief it may be as large as 500, 250, or 100 feet. It sometimes happens that the relief changes from slight to marked within the limits of a map. When this is the case, intermediate contours are dropped or the vertical interval is changed from a small to a much larger one for the areas of marked relief.

“Reading” changes in contours is tricky, but can be mastered with practice. Basically, proposed grading changes either add earth (filling) or remove earth (cutting). A proposed contour which moves in the direction of a lower contour is adding earth (filling). For instance (see diagram), proposed Contour 7 moves in the direction of a lower Contour (6) and indicates filling.



Conversely, a proposed contour which moves in the direction of a higher contour is removing earth (cutting). This can be seen where Contour 8 moves in the direction of Contour 9 and is removing earth (cutting). The amount of earth to be added or removed can be determined by comparing the proposed contour with the existing contours it crosses.

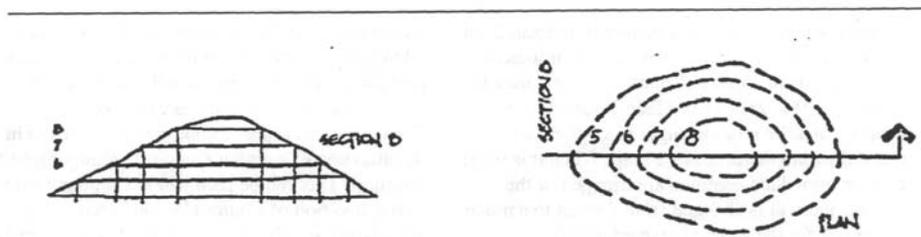


Profiles or sections can be constructed from contours and conversely, contour locations can be determined from profiles. A freehand construction of a cross-section is the best way to understand what the contours are doing. The following are most typical forms found in grading.

A valley is represented by contours which point uphill. To construct the section, draw first the place where the section is to be taken (Labeled A), then project up, parallel lines at each place a contour crosses 'A'. Somewhere above, draw lines parallel to 'A' and scaled according to the contour interval. Where the two lines cross becomes the section line, and one has only to connect these points to complete the section.

A summit is indicated by concentric closed contours, and adequate contour labeling to distinguish it from a depression.

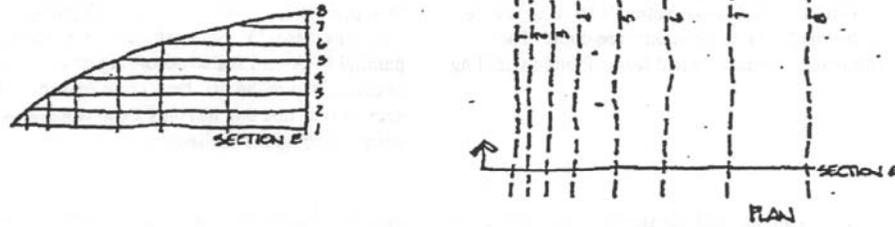
Depressions are often labeled with hachures and both forms should include spot elevations at the highest or lowest point.



A ridge is shown similar to a valley, but with the contours pointing downhill. Note carefully the contour labeling, for this is the easiest way to determine if it is a ridge or valley. Ridges and valleys often are very wide, and difficult to distinguish on a large scale map.



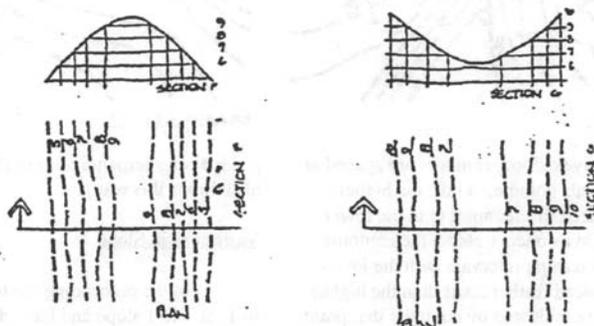
A convex slope is shown with parallel contours, each spaced further apart with the closer contours at the lower contours. Convex and concave landforms are the most common forms found in nature and are well understood by landscape architects.



Conversely, a concave slope is shown with parallel contours, each spaced further apart starting with the closely spaced contours at the top.



Two adjacent contours with the same numbers indicate either the top of a ridge or the bottom of a valley. Again, the numbering indicates which it is, so check carefully.



Drainage always occurs perpendicular (at right angles) to the contours. The perpendicular line is the shortest distance between contours, and hence the steepest route (see Diagram 1). Water naturally seeks the easiest (steepest) route as it travels downhill in runoff. Channels, ditches, and valleys are indicated by contours which point uphill, and are sometimes made obvious by drawing an arrow in the direction of drainage or labeling it a SWALE (Diagram 2).

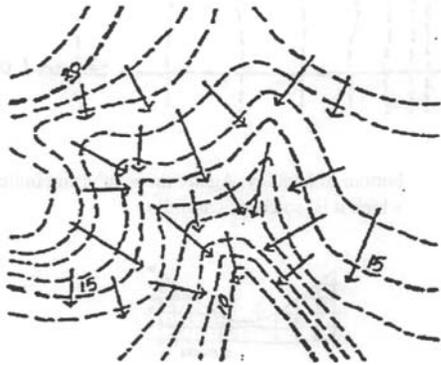


DIAGRAM 1

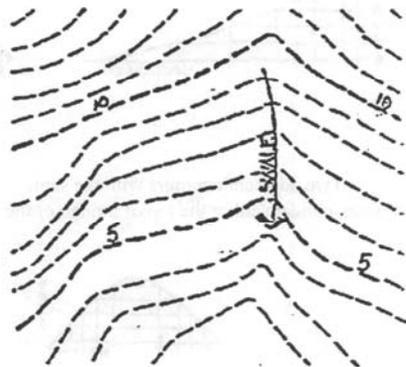


DIAGRAM 2

On a convex slope, contours are spaced at increasing intervals going up a hill; the higher contours are spaced further apart than the lower contour lines. On a concave slope, the contours are spaced at increasing intervals with the lower contour lines spaced further apart than the higher ones. Valleys are indicated by contours that point uphill. In crossing a valley, the

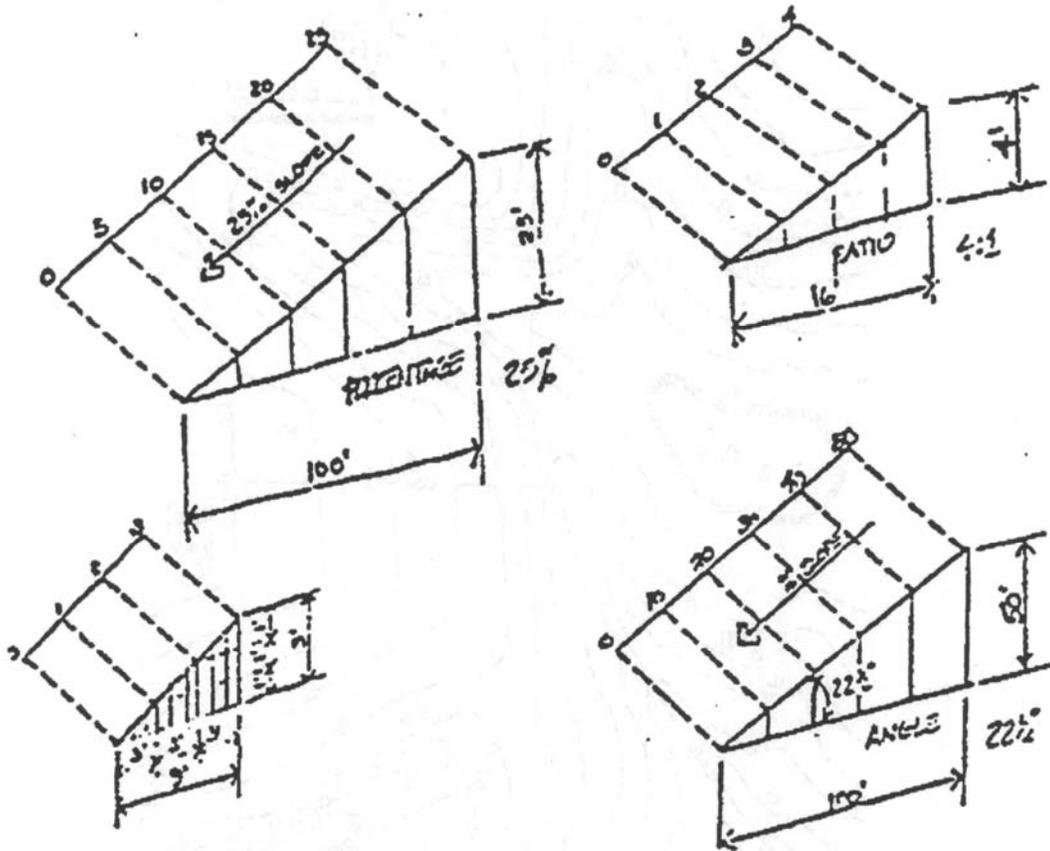
contour lines run up the valley on one side, turn at the stream and run back the other side.

Generally contours which are close together indicate a steep slope. Contours that are spaced far apart indicate a relatively level or slight grade. Contours never split; however, you will occasionally see two contours numbered the same and side by side. This indicates either a high area, or a low area. It will be high if the numbers for both contours fall in the same interval, and a low area if the numbers don't. The steepest area of a slope runs perpendicular to the contours (water also drains this way).



Variations in Slope

In the proceeding we have talked about 2 to 1, or 3 to 1 slope and have described the manner to depict this by using contours. These slopes are necessary as it is not possible to pile earth, sand, soil, clay, etc., vertically, so we must slope these materials and the slope becomes either a 2 to 1, 3 to 1, 4 to 1, etc., slope (typically shown 3:1). By 3:1 we mean three feet horizontal space is required for each one foot vertical change in elevation. As contours are shown in plan view to maintain a 3:1 slope, the contours (assuming 1' contour interval) would have to be spaced 3 feet apart.



Characteristics of Contours

1. All points on a contour line have the same elevation. A contour line connects points of equal elevation.
2. Every contour closes on itself within or beyond the limits of the map. In the latter case, the contour will not end on the map but will run to the edges.
3. A contour which closes on itself within the limits of a map is either a summit or a depression. A depression is usually indicated by the elevation at the lowest point, a spot elevation, or the letter "0" placed there. A depression is also indicated by placing short hachure marks on the low side of the contour line (See No. 3 for depression and 3a. for summit).



Although Planning Commissioners may not ever see (or need to see) all the information received by the planning staff for a particular project, it may be helpful to know what type of information is being used by professionals to evaluate the development project.

The following list represents the basic information normally required by City Planning and Community Investments for submission of land use applications. Each City maintains a detailed list of all the necessary information that must be provided within each of these elements. These lists are very extensive and, to the layperson's eye, may seem overly burdensome. However, with the complexities of today's developments, this information is a necessity.

- Signed application - completed and signed application.
- Vicinity map - showing general location of project to neighborhood. Most cities require the applicant to submit a 300-foot radius map and a mailing list for all properties within the required noticing area. With new and expanding computer technology, some cities are taking on this function as part of their service to the applicants.
- Existing facilities map - showing all existing buildings, roads, walls, landscaping, signs, easements and adjacent property.
- Site Plan - showing the proposed project from a bird's eye view. The Plan is drawn to scale (should be same as existing facilities map) and should be large enough to be easily discernable. Most cities have standard size of plans and may require reductions for distribution to the commission, council and public.
- Elevations (architectural) - showing all sides of all proposed structures on the site. All exterior building surface materials should be shown, as well as a description of colors to be used. Elevations should be shown unobstructed by proposed landscaping materials. The elevation should show the entire building as it will be constructed, not necessarily as how it may look in several years with mature landscaping.
- Landscape Plan - showing the proposed use of groundcover, shrubbery, trees and hardscape elements. The Plans should indicate size and type of proposed trees and show any existing trees that will remain on-site.
- Sign Plan (if applicable) - showing the proposed type, location, size, height, color, illumination source and materials of all signs on-site.
- Environmental questionnaire – providing the site specific information necessary to assess whether or not the project could have a significant impact on the environment.
- Materials board - providing representative samples of all proposed building materials and their colors. The board should make it easy to identify where the materials shown on the architectural plans will be used.



- Other special submittals - From time to time other information is needed to be able to properly review the proposed development. Some common additional requirements are:
 - ▶ Traffic analysis reports;
 - ▶ Biological studies (endangered species);
 - ▶ Utility reports (adequacy of availability of water, sewer, electrical, drainage, etc.);
 - ▶ Wall Plans (if not supplied as part of landscape plans);
 - ▶ Cross-sections of the site or buildings - helpful in understanding complex structures and in determining adequacy of proposed screening techniques for outdoor storage and mechanical equipment;
 - ▶ Preliminary grading plan to analyze impacts on ridge lines and other natural features or to determine extent of cut and fill activities;
 - ▶ Phasing Plan for large and multi-phased projects;
 - ▶ Renderings - colored drawings (or computer enhanced pictures) showing the building as it will be finally constructed, including buildings, landscaping, special features (fountains), signs, and the surrounding environment; and
 - ▶ Color photographs to help visualize the site or surrounding area.

Site Plan, Landscaping, and Architecture Review Checklist

What should commissioners look for when reviewing landscaping, architectural and site plans?

Commissioners aren't responsible for assessing all of the technical merits of the development; that is what their professional staff does in their summary of the important aspects in the staff report.

The commissioner's primary job is to review the plans to determine whether:

- They meet the City's overall policies for quality development;
- They "feel right" to him or her as a community representative; and
- Anything has been overlooked.

After reviewing the plans, the commissioner should feel that he or she knows how the project will look and perform after construction. The ultimate objective to all of this planning and communication is to create livable developments for people to use to live, work, shop and recreate. Being able to visualize the "built environment" from architectural drawings takes



knowledge, experience and practice. Commissioners may also want to take the time to visit built projects with the approved plans to compare the two, and identify any misunderstandings.

At First Glance: What to Look For

In general, the commissioner's initial review will result in gaining answers to the following issues of concern to the commission:

- Compatibility with surrounding uses - visual, acoustic, traffic, grading, aesthetic, etc.;
- Appropriateness of the design for the site - style, height, color, exterior lighting, landscaping, etc.;
- Compatibility of the design and site plan to existing and future on- and off-site uses;
- Internal circulation - vehicular and pedestrian, including handicapped access;
- Amount, size, and arrangement of the landscaping and open space; and
- Appropriate use and retention of natural land forms and vegetation.

The following is a list of steps that, when followed, will give a reviewer a basic understanding of a project in a short amount of time:

- Check the scale of the plans. Are they drawn at 1/4" = 1'-0" or 1/8" = 1'-0" scale or perhaps a 30 scale? Although the plans should be fully dimensioned, an architect's and engineer's scale is necessary in order to fully explore the plans. These may be found in local stationary stores or may be supplied by the City Planning and Community Investment. A good way to get a sense of the scale of plans is to draw in a person (next to a building) or a car (on the site plan).
- Look at the contours, both existing and proposed. Sections through the site should be required of projects that exceed 5+ in 100+. An outline of the building should be drawn in. How much grading is proposed? Make sure the finish floor elevations and parking lot finished grades are not so high that buffers such as landscaping are ineffective or that unanticipated retaining walls are necessary in undesirable locations.
- Locate existing trees. Are they to be removed? Can and should they be saved?
- Locate adjacent buildings, both on- and off-site. Is there any relationship between them, e.g., pedestrian walks, window-to-window visual contact, noisy areas adjacent to quiet areas or shadows cast over plaza areas?
- Check the circulation pattern for cars, delivery vehicles, pedestrians, and bicycles. Are there points of conflict, such as a lack of walkways that will cause people to walk through areas or between cars?



- Locate the landscaped areas. Does the landscape recognize the climate, soften the building or break up the expanse of parking areas or long blank portions of a building or wall? Are the planters large enough to accommodate desirable amounts of landscaping? Are there areas for special landscape and hardscape treatments?
- Check the parking layout. Do aisles relate well to entry-exit points, is there a logical pattern for cars to follow, are tire stops provided, and is there sufficient landscaping to screen parking from view or to break up the expanses of asphalt?
- Are there any views from the site or of the site which should be preserved? Have they been preserved? (Visualize the site in various places to make this analysis.)
- Are there any environmental concerns that the project should address, e.g., noise (on- and off-site), drainage, traffic or energy conservation (look at the location of windows and landscaping)?
- What is likely to happen on adjacent, undeveloped property? If it is a phased project, make sure that the first phase will stand by itself because of the possibility that the next phase will never be constructed.

Beyond the Basics - Detailed Design Considerations

As various plans are reviewed in more detail, check for the following items:

Site Plan

Layout

- ▶ Is the site crowded - too much paving and building with too little landscaping, space between buildings, etc.?
- ▶ Are the setbacks between buildings and adjacent properties sufficient? Are the buildings laid out rigidly or sensitively?
- ▶ Do exterior spaces recognize climate, topography, views, the type of activities that are to take place in them? Are the exterior spaces comfortable?
- ▶ Look at uniformity vs. a variety of spaces.
- ▶ Does the site plan recognize the location of noise, traffic, wind and sun?
- ▶ Does the lan reflect and respect the topography of the site (existing and proposed)?



Topography

- ▶ Does and should the project complement the existing topography?
- ▶ Are the proposed topographic changes aesthetically pleasing?
- ▶ Does the proposed grading blend well with that on adjacent property?
- ▶ Might there be drainage problems in the area or on the site? Are there unsightly drainage ditches, channels or swales that can go underground? If not, can they be aesthetically treated?
- ▶ Can significant trees be saved by revising the grading around them?

Circulation

- ▶ Are entry and exit points safe with good sight distance and adequate stacking distances maintained?
- ▶ Are street access points coordinated with median openings and access points on the opposite side of the street?
- ▶ Has the number of driveways onto adjacent streets been minimized?
- ▶ Are acceleration and deceleration lanes needed and provided for on busy arterial streets?
- ▶ Does the on-site circulation system make sense - no dead-end aisles, limited parking along main drives, and are the main drives too long or too chopped up? Is there a hierarchy of driveways leading from public streets to main drives to parking bays?
- ▶ Is adequate turning radius provided for large trucks and emergency equipment (police, fire, ambulance, utility trucks, etc.)?

Parking

- ▶ Are the required number of spaces provided? This should be summarized and printed on the plan as well as addressed in the staff report.
- ▶ Does the number and location of any compact spaces and handicapped parking locations make sense? Are they in areas where they are needed?
- ▶ Do aisle widths meet standards or have they been oversized for some reason, reducing landscape areas and increasing the amount of pavement? Are there pavement areas that really should be landscaped?



- ▶ Are parking bays well-screened by perimeter landscaping or low walls? Are they landscaped effectively on the interior to provide shade or offset large expanses of asphalt?
- ▶ Are special loading or drop-off areas needed?
- ▶ Are required loading areas properly screened from view?
- ▶ Does the location of loading areas ensure ease of delivery service with minimal conflicts with customers or residents and minimal effects on adjacent properties?
- ▶ What type of deliveries do you expect from the project and does the plan reflect adequate maneuvering?

Landscaping

- ▶ What is the visual value of the existing vegetation? Does the plan retain any plant materials? Should it?
- ▶ Does the proposed landscaping recognize the climate and local conditions (wind, rain, drought, sun, and plant diseases)?
- ▶ Does the landscape plan complement or does it conflict with the project's overall architectural theme? Do the materials complement the building or hide it?
- ▶ Are the planters large enough for their intended use and plant material? (Planters that are only three feet wide located next to three story buildings are probably not sufficient.)
- ▶ Are special areas of the site plan reflected in the landscape plans - street corners, site entrance, building entrance, plazas and, architectural elements? Do these places exhibit special landscape elements (specimen plants or larger size material), hardscape materials (pavers, stamped/colored concrete, benches, etc.), waterscape elements (fountains, pools or streams) or special lighting elements?

Lighting

- ▶ Is night lighting provided? Is it aesthetically pleasing, compatible with the site and building design and appropriately located?
- ▶ Are walkways properly lit for safety reasons?



- ▶ Are lights used only for safety or utilitarian purposes or does the plan allow for special lighting (flood lights, up or down lighting, spot lights, bollards, etc.) of buildings, signs and landscape?
- ▶ Are security lights shown or planned? (These lights may be thought of after or during construction and when placed on a building or site may tend to disrupt an otherwise well designed plan.
- ▶ Will proposed light locations shine onto adjacent property or into adjacent buildings?

Signage

- ▶ Should there be a master sign program for the site or can the local sign ordinance handle it? If the project is a single tenant building, it may not be necessary. If the project is large or multi-tenant, an overall sign program establishing general parameters may need to be considered.
- ▶ Do the business and project identification signs compliment the architecture of the site (style, color, size, materials and numbers)? Are they in proper scale to the site and buildings?
- ▶ How will signs be illuminated?

Trash Enclosures/Storage Areas

- ▶ Are trash enclosures that are viewable from public areas adequately screened and constructed of materials complementary to the site architecture? Are they adequately screened from direct view by masonry walls, landscaping, and/or trellises?
- ▶ Are outside storage areas permitted in the zone? If so, are they to the side or rear of buildings and screened from view? What materials are planned to be stored in the area? Will the proposed height of the screen walls be adequate to fully obscure the view of storage?
- ▶ Will people on surrounding properties or in adjacent buildings be able to look down on the storage area? Can these views be mitigated?

Building/Architecture

- ▶ Style of buildings - is it consistent and/or interesting? Is the proposed architecture “true” to the style being used (Italianate, Spanish Revival or Mission, High Tech, Federalism, etc.?)



- ▶ Form of buildings - Does the building have a “base” and a “top”? Are the building facades flat and monotonous or are they varied and interesting? Does the building mass, height and planes of the building help to create greater visual interest? Are the building facades carefully and correctly (according to style) detailed, especially at the base along cornices, eaves, parapets and ridgetops, and around entries and windows?
- ▶ Compatible use of materials and colors. Is the applicant proposing the use of building materials that are of high quality and long-lasting appearance, such as tile, stone, stucco, plaster or wood? Are materials substantial or of lesser quality, such as veneers?
- ▶ Roof design - does it add to the building? Does it screen rooftop-mounted mechanical equipment?
- ▶ Relationship to adjacent structures and the surrounding neighborhood. Does it fit in or does it seem out of place?
- ▶ Integration of signs with the building design.
- ▶ Relationship to day and night uses.

Zone Change Checklist

A zone change should not be granted unless there are sound reasons that relate to necessity and the welfare of the community.

It is not sufficient for an individual applying for a zoning amendment to show that there are no neighborhood objections to the proposal.

The burden of proof rests with those who are requesting the change - if there is not good reason to grant a change, the proper course of action is to deny the request.

Questions to Ask

1. Relationship to the entire community - Would the proposed change be contrary to the General Plan land use policies and map? Is the proposed change incompatible with established land use patterns? Would the proposed change create an isolated district unrelated to similar districts, thus becoming spot zoning? Would the proposed change alter the population density pattern and thereby increase the load on public facilities such as schools, sewers, streets and the like, beyond community desires, plans or capacities? Are present district boundaries properly drawn in relation to existing conditions or development plans, with respect to size, shape, position and the like?



2. Changed conditions - Have the basic land use conditions remained unchanged since adoption of the existing zoning? Has development of the area conformed to existing regulations?
3. Public welfare - Will the change adversely influence living conditions in the neighborhood? Will the change create or excessively increase traffic congestion? Will the change adversely affect property values in adjacent areas? Will the change be a deterrent to the improvement or development of adjacent property in accord with the existing regulations? Will the change constitute a grant of special privilege to an individual as contrasted to the general welfare?
4. Reasonableness - Can the property be used in accordance with the existing zoning regulations? Is the change requested out of scale with the needs of the neighborhood or the community? Are there adequate sites for the proposed use in districts permitting such use? Will an undesirable precedence be set by allowing the zone change at this location at this time?

Conditional Use Permit Checklist

Conditional use permits are rights granted to a property owner to use the owner's property in a manner that ensures no adverse impacts on adjacent property nor on the general community will result. The courts have stated that the "traditional purpose of the conditional use permit is to enable a municipality to exercise some measure of control over the extent of certain uses, such as drive-in restaurant, which, although desirable in limited numbers, could have a detrimental effect on the community in large numbers, or in certain locations."

To ensure that the conditions imposed by the commission, or other hearing body, will find the favor of the courts, it is recommended that the zoning ordinance define the uses that are subject to a conditional use permit and establish standards that apply to particular uses, such as distance from schools and residential districts, operating hours, avoidance of congestion, parking, lighting, noise, traffic circulation, etc.

As a general rule, conditional use permits require a finding that the proposed use is consistent with the general plan and zoning ordinance, and that "the establishment, maintenance, or conducting of the use for which a use permit is sought will not, under the particular case, be detrimental to the health, safety, morals, comfort, convenience or welfare of persons residing or working in the neighborhood of such use; and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood."

A conditional use permit requires a public hearing and provides an opportunity for the general public within the area of the proposed use to assist in the determination of whether or not the use will be injurious to the neighborhood.

A commission may not impose a requirement for the dedication of land or the posting of improvement bonds that are not reasonably related to the proposed use of the property. A conditional use permit may be approved, denied for cause, or approved subject to certain



conditions. Also, following a revocation public hearing, a conditional use permit may be revoked if sufficient cause is shown.

Of all the powers of zoning, the conditional use permit has the greatest potential for establishing and maintaining the character of a neighborhood. It also has the potential for the commission to abuse its discretion. The commission or hearing body should use its authority with care and thought.

Federal, State and County Agencies Involved in Development

AQMD. Air Quality Management District. A regional agency responsible for regulating sources of air pollution.

California Coastal Commission. A state agency that reviews development plans within the coastal zone according to the California Coastal Act of 1976.

Department of Fish and Game. A state agency that manages California's diverse fish, wildlife and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.

Department of Fish and Wildlife. The principal federal agency responsible for conserving, protecting, and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. It also oversees the federal aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

BCD. State Department of Housing and Community Development. The state agency responsible for assessing, planning for and assisting communities to meet the needs of low and moderate income households.

BUD. U.S. Department of Housing and Urban Development. A cabinet-level department of the federal government that administers housing and community development programs.

IAFCO. Local Agency Formation Commission. See Gov. Code § 54773 and following. In California, the agency in each County that is responsible for processing and regulating sphere of influences, annexations, detachments and incorporations of County lands.

OPR. The Governor's Office of Planning and Research is the comprehensive statewide planning office and provides research staff to the governor. OPR provides basic research, long-term planning and policy development consonant with its statutory mandates, and interdisciplinary policy and review relative to growth management and intergovernmental affairs.

State Clearinghouse. A part of the Governor's Office of Planning and Research (see "OPR," above) which has three primary functions, including coordination of state agency review of environmental documents, coordination of state and local review of federal grant applications, and technical assistance on land use planning and CEQA matters.





THE CITY OF SAN DIEGO

COORDINATION OF PROJECT MANAGEMENT WITH Community Planning Committees

CITY OF SAN DIEGO DEVELOPMENT SERVICES
1222 FIRST AVENUE, MS 302, SAN DIEGO, CA 92101
Call (619) 446-5210 for information.

INFORMATION
BULLETIN
620
DECEMBER 2001

The following guidelines outline the role of the Project Manager and Community Planning Committee for the City of San Diego's development review process.

I. PRELIMINARY REVIEW MEETINGS

During the Preliminary Review Meeting for a development (discretionary) project, the applicant will be referred to the responsible Community Planning Committee(s) for the proposed project. At the conclusion of the Preliminary Review process, a copy of the preliminary review meeting report, including any draft schedules, will be distributed to the Committee(s). The applicant will be responsible for contacting the Committee(s) if they choose to discuss the project **prior** to submittal of their application to the City. The City encourages early contact with, and a presentation to, the Committee(s).

II. PROJECT SUBMITTAL AND REVIEW

Upon submittal of a project to the City, the Project Manager will establish a schedule with the objectives of creating a timely and predictable process for the applicant and the public; providing an efficient and effective review process; and providing for community participation. The following outlines the major project milestones and the procedure for interaction with the Committee(s):

a. Full Submittal/Notice of Application: Upon receipt by the City of the full submittal for the purpose of deeming the development project application complete, the Committee(s) will be notified of the application. At this time, the City will encourage the applicant to contact and make a presentation to the Committee(s). The Committee(s) will be provided a copy of the Ownership Disclosure Statement, development plans, and the Community Planning Group Distribution Forms. Distribution Form Part 1 may be used to provide the City with initial comments and issues regarding the project prior to the Public Hearing, as well as for documenting the recommendation of the Committee(s) to the decision maker. Distribution Form Part 2 may be used by the Committee for documenting their recommendation to the decision maker, prior to the public hearing or decision date.

b. Assessment Letter: At the conclusion of the first review cycle, the City will provide the applicant

with an assessment letter detailing issues and any recommended modifications to the project. Should the schedule allow the Committee(s) to provide their comments to the City prior to issuance of the Assessment Letter, these comments will be included as an attachment. These comments shall be forwarded directly to the Project Manager to facilitate their inclusion in the Assessment Letter. Should the timing of the Committee(s) review meetings and the City's project schedule not allow the Project Manager to include these comments with the Assessment Letter, they will be forwarded immediately to the applicant. A copy of the Assessment Letter will be provided to the Committee(s).

c. Subsequent Review and Project Changes: Subsequent copies of the City's assessment letters will be provided to the Committee(s), as well as plans reflecting major project revisions.

d. Environmental Review Process: Whenever possible, all review shall be completed, and written comments submitted to the City, during the public review period offered by the environmental review process (substantive changes in projects subsequent to completion of the environmental review process will sanction further evaluation by the Community Planning Committee[s]). The outcome of the Committee(s) actions shall be provided to the Project Manager in an official correspondence (the Distribution Form, meeting minutes, or a letter from the Chairperson) in order to be included in the report to the decision maker. During the public review period for the environmental document, the Committee's comment(s) shall be provided to the City in accordance with the California Environmental Quality Act (CEQA). Comment(s) shall be provided to the contact identified in the draft environmental document. The Committee(s) may also provide a copy of their environmental document comment(s) to the Project Manager.

III. COMMITTEE REVIEW

The project schedule shall assure that the Committee(s) has an opportunity to review and make recommendations on a timely basis. Project schedules, as developed and revised, shall be provided to the Committee(s) at their request. In the event the Committee(s) require additional time above and beyond the project schedule to review and make their

Printed on recycled paper. This information is available in alternative formats for persons with disabilities.
To request this document in alternative format, call (619) 446-5446 or (800) 735-2929 (TT).
Be sure to see us on the WorldWide Web at www.sandiego.gov/development-services

DS-5620(12-01)



recommendation to the decision maker, a request in writing for an extension shall be directed to the Deputy Director of the Project Management Division. This request shall outline the circumstances necessitating this need and the length of time of the extension.

IV. PROJECT TYPES

Project Managers will be available to attend the Committee(s) meetings for projects involving a high level of complexity or interest. Characteristics of these types of projects include, but are not limited to:

- Community plan amendments and/or rezonings;
- Projects requiring an Environmental Impact Report;
- Projects which have community wide significance;
- Projects which are highly controversial and/or involve substantial community concern.

For all other projects, the Community Planner will have direct access to the Project Manager and will be responsible for representing such projects to the Committee(s). When the Committee(s) believe a project has community-wide significance, they may submit a request in writing to the Deputy Director of the Project Management Division requesting the Project Manager attend a Committee(s) meeting for that project.

V. TIME CERTAINTY ON THE COMMITTEE(S) AGENDA

In situations where a Project Manager will be attending the Committee(s) meeting, time shall be set as "time certain" on the agenda for the project, **or**, such items shall be scheduled at the beginning of the Committee(s) meeting. This will ensure the most efficient use of the staff time and limit the total hours billed to an applicant for time expended on the project.

VI. SINGLE POINT OF CONTACT WITH THE COMMITTEE(S)

The Community Planner will be a member of the Project Review Team and will function as the primary liaison between the Community Planning Committee and the City. When the Community Planner represents the City, they will provide general information regarding the project; however, specific details of the project will be the responsibility of the Project Manager, who will act as the single point of contact for information on a project. For projects requiring attendance at the Committee(s), the Committee(s) shall designate a representative to be the single point of contact for the Project Manager. Should no person be designated, the Committee(s) chairperson shall be deemed to be the point of contact. This arrangement will ensure a coordinated flow of information between the Project Manager and the Committee(s) on all issues related to the project.





City of San Diego
Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5210

Community Planning Committee Distribution Form Part 2

Project Name		Project Number	Distribution Date	
Project Scope:				
Project Location				
Applicant Name:			Applicant Phone No.:	
Related Projects				
Project Manager		Phone Number	Fax Number (619) 446-5245	E-mail Address
Community Plan		Council District	Existing Zone	Proposed Zone
Committee Recommendations <i>(To be completed by Community Planning Committee for initial review):</i>				

<input type="checkbox"/> Vote to Approve	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> No Action (Please Specify; E.G. Need Further Information, Split Vote, Lack Of Quorum)			<input type="checkbox"/> Continued	
Conditions				

Name		Title		
Signature		Date		
<p><i>Attach Additional Pages If Necessary.</i></p> <p>Please Return No Later Than The End Of The Public Review Period For The Environmental Document To:</p> <p>Project Management Division City Of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101</p>				

Printed on recycled paper. This information is available in alternative formats for persons with disabilities.
 To request this document in alternative format, call (619) 446-5446 or (800) 735-2929 (TT).
 Be sure to see us on the WorldWide Web at www.sandiego.gov/development-services



NEIGHBORHOOD
CODE COMPLIANCE
DEPARTMENT

CITY OF SAN DIEGO NEIGHBORHOOD CODE COMPLIANCE DEPARTMENT

Mission Statement

To work in partnership with the people of San Diego to maintain a safe and desirable living and working environment; to improve the quality of San Diego's neighborhoods through education, enforcement and abatement; and to respond to community concerns and attain code compliance while maintaining high professional standards and continually seeking improvements and innovations.

Enforcement Priorities

- Imminent health and safety hazards (i.e. unstable structures, leaking sewage)
- Illegal grading of Environmentally Sensitive Lands
- Substandard housing/buildings, illegal dwelling units
- Graffiti (especially lewd or racist graffiti, or graffiti on churches and libraries)
- Construction/demolition without required permits
- Disabled access violations
- Garages converted to habitable space
- Illegal land uses that cause public nuisances
- Mobile home park violations
- Vacant, unsecured structures
- Permanent encroachments in the right-of-way
- Noise that disturbs multiple residences
- Dilapidated or over-height fences
- Elimination of required trees and landscaping
- Storage not incidental to residential use
- Spray paint and acid etching material not properly secured in stores



Budget Overview FY 05

\$5,389,972	General Fund Budget
\$671,171	CDBG Funds
\$120,300	SEDC
\$126,103	CCDC
\$32,991	State Grant
\$30,000	Urban Corps Contract for graffiti removal

Department Statistics FY 04

4,881	Voluntary Compliance Letters Sent
4,562	Building/Housing/Noise Cases Received
3,166	Zoning Cases Received
17,483	Graffiti Service Requests
7,648	Cases Resolved by Volunteers
3,430	Hours Worked by Volunteers
132	Vacant Properties Rehabilitated or Demolished

CITY OF SAN DIEGO
NEIGHBORHOOD CODE COMPLIANCE DEPARTMENT

HOW TO REPORT A COMPLAINT

Please document the address of the complaint. If there is a code enforcement volunteer group in your area, contact the chair or representative of that committee. Most groups are very successful in obtaining voluntary compliance.

The next step is to call our Intake Line at (619) 236-5500. Our Public Information Clerks will ask several questions, including your name and phone number. We are committed to keeping your name confidential unless we are requested to release the information by a judge.

Depending on the issue, a Voluntary Compliance Letter (VCL) is mailed to the alleged violator. You will receive a letter informing you that we have sent a VCL to the alleged violator. You will also receive a date by which the violation must be corrected. After that date, you must call us back to let us know if the alleged violation has not been corrected.

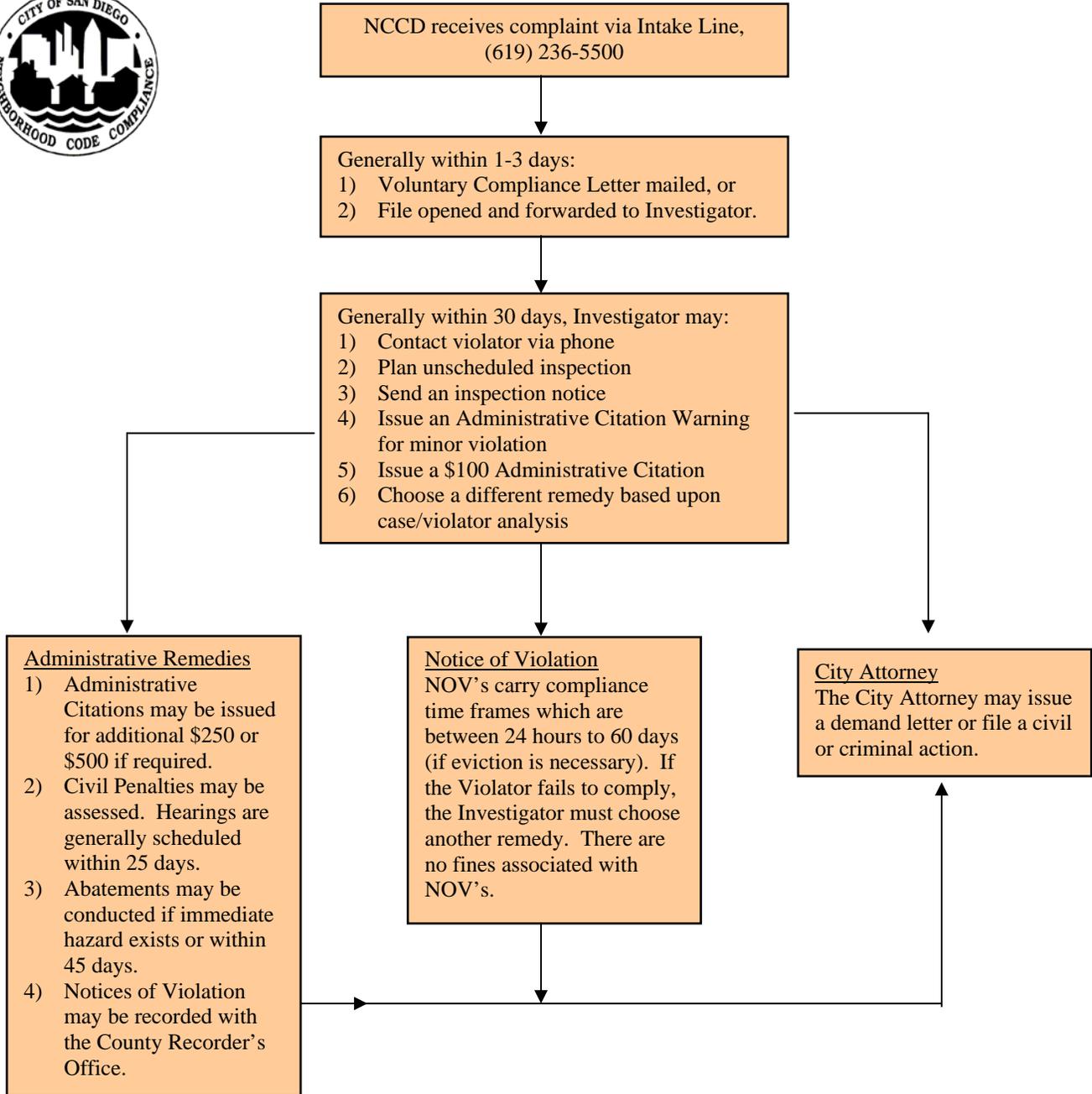
The Neighborhood Code Compliance Department (NCCD) resolves 80 percent of our cases in 6 months. Several examples of why a case could take longer include: the complexity of the case, whether legal issues are involved, or if the property is in probate.

Please keep in mind:

- We have more cases than can be processed, given the limited number of staff. There are currently over 5,000 cases in our backlog.
- Most neighbors want to be good neighbors and respond to issues brought to their attention.
- A letter signed by several neighbors is often all it takes to cause an owner to be more in control of their barking dog.
- NCCD takes pride in our working partnerships with Community Planning Groups, our trained volunteers, and all citizens.
- Code enforcement works the most efficiently when the recognized Community Planning Group agrees on priorities regarding code violations.
- Most cases are resolved by voluntary compliance without the need for fines and/or more expensive formal actions.

For more information regarding NCCD, see our website at: <http://www.sandiego.gov/nccd/>

CODE ENFORCEMENT PROCESS



**Time frames are estimated and can be impacted by whether or not the violator is making incremental progress, administrative appeals, legal action, and inadequate or inaccurate information upon submittal by the complainant.*



**CITY OF SAN DIEGO
NEIGHBORHOOD CODE COMPLIANCE DEPARTMENT**

KEY CONTACTS

1200 Third Avenue, Suite 800, San Diego, CA 92101-4106

Complaint Intake Line: (619) 236-5500

Graffiti Hot Line: (619) 525-8522

<http://www.sandiego.gov/nccd/>

	<p><i>Marcia K. Samuels, Department Director</i> (619) 236-5502 mksamuels@sandiego.gov</p> <p>Department administration, policy, budget, high-profile and politically sensitive issues, liaison to Small Business Advisory Board, City Council and Council Committees.</p>
<p style="text-align: center;">Position Vacant</p>	<p><i>Land Development Program Manager,</i></p> <p>Property Use Enforcement: Land development/zoning, businesses operating in an unauthorized zone, illegal dwelling units, illegal grading, non-compliance with discretionary permits, illegal garage conversions, adult entertainment and sign violations.</p>
	<p><i>Graffiti Control Program (619) 525-8522</i></p> <p>Graffiti Control: Removes graffiti on City of San Diego (City) property (and private property if certain criteria are met), refers service requests to outside agencies, supports volunteer paint-outs, distributes free paint and supplies for graffiti removal, enforces graffiti regulations restricting access to spray paint and acid.</p>
	<p><i>Ida Ford, Code Enforcement Volunteer Program Coordinator, MS 51N</i> (619) 533-6135 iford@sandiego.gov</p> <p>Code Enforcement Volunteer Program: Supervises two volunteer programs, the Citizen Volunteer Program (CVP) and the Code Compliance Representative Program (CCR).</p>
	<p><i>Frank Hafner, Housing & Code Enforcement Deputy Director, MS 51N</i> (619) 236-5504 fhafner@sandiego.gov</p> <p>Property Condition Enforcement: Building violations, construction without permits, sewage leaks on private property, substandard housing, dangerous and dilapidated buildings/walls, mobile home parks, disabled access, vacant and unsecured buildings, billboards advertising alcohol, and noise violations (animal and construction).</p>
	<p><i>Norma Medina, Vacant Properties Program Coordinator, MS 51N</i> (619) 235-5837 nmedina@sandiego.gov</p> <p>Vacant Properties Program: Works with property owners to restore vacant properties to productive use and mitigates nuisance structures.</p>
	<p><i>Fred Zuckerman, Volunteer Code Compliance Representative, MS 51N</i> (619) 533-6123 fzuckerman@sandiego.gov</p> <p>Provides code enforcement on minor violations visible from public right-of-way from 5:00-8:00 p.m. during the week and on weekends as requested. Can assist with civil actions modeled after Safe Streets Now!</p>

CITY OF SAN DIEGO
NEIGHBORHOOD CODE COMPLIANCE DEPARTMENT

VOLUNTEER CODE ENFORCEMENT PROGRAMS

The Neighborhood Code Compliance Department (NCCD) has two volunteer programs that have proven to be effective in resolving code violations; the Citizen Volunteer Program (CVP) and the Code Compliance Representative Program (CCR). Both of these are intended to better address minor violations that are clearly visible from the public right-of-way such as illegal residential auto repair, front yard parking, signs, newsracks, garage sales and excessive storage. Volunteers are also able to provide service during times that NCCD staff is generally not working; i.e., weekends and evenings. Volunteers are required to conform to standards for conduct that include avoiding all perceived and actual conflicts of interest.

COMMUNITY VOLUNTEER PROGRAM (CVP)

The CVP volunteers identify problems in their communities that are readily viewable from the public right-of-way. They are encouraged not to operate within two to three blocks of their home. The volunteers take actions to seek voluntary compliance, which in most cases is a two-letter program. The first letter is very cordial in describing the problem and asking that it be corrected. The second letter is more serious in that it indicates that compliance will avoid referral to the City that may result in fines. If the volunteer efforts are not successful, the case is referred to NCCD where it is elevated in priority above cases with similar types of violations. These volunteers do not have the authority to issue fines. However, they do have the authority to document alleged violations and remove illegal signs in the public right-of-way.

An NCCD field supervisor, Ida Ford (619) 533-6135, (iford@sandiego.gov), is the volunteer coordinator. Ida coordinates the activities of 38 volunteer groups. She has 23 meetings each month, 13 during evening hours and ten during normal working hours. Fifteen groups have indicated that they do not want monthly updates. While they are usually associated with Community Planning Groups, any neighborhood can establish a program.

At the meetings, Ida reviews the status of active cases that have been referred by the group to NCCD and discusses current issues in that community. Prior to the meetings, Ida meets with NCCD staff to inform them of current issues and to acquire the status of each case that has been referred by the volunteers to NCCD.

Training

Training specific to the needs and interests of each volunteer group is provided by Ida Ford. The length and content of the training may vary among groups though it is generally about 2 hours. The basic training includes: reviewing the relevant Municipal Code Sections; criteria for determining if the conditions and known facts constitute an actual violation; and how to work cooperatively with people to avoid confrontation and be a good ambassador for the City. Generic business cards are provided which allows for some identification but enables them to remain anonymous if they choose. The overall goal is to target problems and not people.

Performance Measures

The Community Volunteer Program processes approximately 3,100 potential violations per year. The volunteers are successful in resolving 88 percent of the issues they address. Of those referred, NCCD resolves 70 percent within 90 days.

Budget

Since September, 2004, 60 percent of Ida's time has been committed to this program and approximately \$130 has been reimbursed by the City for postage, business cards and stationery.

CODE COMPLIANCE REPRESENTATIVE PROGRAM (CCR)

This program was initiated in October of 2003. The CCR Program currently operates with one citizen volunteer who has the authority to issue Notices of Violation and Administrative Citations. The volunteers of the CCR Program are selected through a rigorous process, patterned after the selection procedures for actual City staff. Candidates are required to submit a written application and a select number are given an oral interview. The CCR program includes the same standards of conduct as the CVP program and specifically prohibits working in their own neighborhood. The CCR volunteers can not be anonymous because they can issue fines in the form of Administrative Citations and can represent the City at appeal hearings.

Training

The training for the CCR program includes the same general elements of the CVP program. The training is more formal and takes about one week of in-office training and two days of field training. This training also includes the policies and procedures for issuing Notices of Violation and Administrative Citations.

Performance Measures

Since September 2003 this program has conducted 192 inspections after-hours to support existing NCCD staff. The program recently started independent enforcement activities with 27 Notices of Violation issued during the week of December 13, 2004. Non-compliance with these notices could result in the issuance of Administrative Citations by the Code Compliance Representatives.

Budget

The CCR program has \$4,200 budgeted for each volunteer per year to cover computer, phone, mileage, film, postage, and supplies/materials.

Administrative Remedies

The Municipal Code sections for the administrative remedies that are used by the CCR volunteers can be found at:

Notice of Violation

http://clerkdoc.sannet.gov/RightSite/getcontent/local.pdf?DMW_OBJECTID=09001451800ac755

Administrative Citation

http://clerkdoc.sannet.gov/RightSite/getcontent/local.pdf?DMW_OBJECTID=09001451800ac753

COMMUNITY SERVICE CENTERS

COMMUNITY SERVICE CENTERS

Obtaining City of San Diego (City) services has never been easier. The City Community Service Center Program was created as information centers providing basic community services to 11 various neighborhoods throughout the City. Some of the many City services offered at the various Community Service Centers are:

OBTAIN/PAY (checks/money orders only)

- Water Bill Payments
- Parking Citation Payments and Appeals
- Rental Property Tax Payments
- City Job Listings and Applications
- Minor Electrical, Plumbing and Mechanical Permits
- Business Tax Certificates
- Dog License Applications
- Affordable Housing Listing
- Bus and Trolley Schedules
- Noise Permits
- Parking Meter Cards
- Alarm Permit Applications
- Crime Prevention Information
- Social Service Referrals
- Community Event Information
- Park and Recreation Class and Event Schedules
- Passport Application Services

REPORT

- Graffiti
- Building or Zoning Code Violations
- Damaged Sidewalks and Curbs
- Noise Complaints
- Potholes
- Street/Traffic Lighting Outages
- Abandoned Vehicles

REVIEW REFERENCE MATERIALS

- City Council and Planning Commission Dockets
- City Council Reports
- Community Plans
- Council Policies
- City's Annual Budget Report
- San Diego Municipal Code Book
- California Vehicle Code Book

The Community Service Center Program has various centers throughout the City to serve you. Select a center from the following page for information about hours and services.





- [Clairemont](#)
4731 Clairemont Drive
San Diego, CA 92117
(858) 581-4111
- [Navajo](#)
7381 Jackson Drive
San Diego, CA 92119
(619) 668-2700
- [Peninsula](#)
3740 Sports Arena Blvd., Suite 2
San Diego, CA 92110
(619) 692-4970
- [Rancho Bernardo](#)
17110 Bernardo Center Drive, 2nd Floor
San Diego, CA 92128
(858) 538-8070
- [San Ysidro](#)
663 E. San Ysidro Blvd.
San Diego, CA 92173
(619) 424-0230
- [Scripps Ranch](#)
11885 Cypress Canyon Road
San Diego, CA 92131
(858) 538-8200



SAN DIEGO
HOUSING COMMISSION



General Information

About us and our programs

The San Diego Housing Commission is charged with helping to bridge the gap between the **high cost of housing in the City** and the high percentage of low wage earners – helping to correct an imbalance that threatens the stability of our work force.

Established by the San Diego City Council in 1979, the Commission helps house more than 75,000 low-income San Diegans each year through a variety of programs. These include owning and managing almost 1,800 housing units, providing rental assistance for more than 12,000 families and individuals, offering financial assistance for qualifying first-time homebuyers, and rendering both financial and technical assistance to low-income households whose older homes need rehabilitation.

In addition, the Commission collaborates with nearly 11,000 businesses and investors to provide affordable housing in return for tax credits and other incentives. The agency also works with nonprofits to help them achieve the housing components of their programs.

A national leader in innovative job training and educational programs for residents, the Housing Commission not only helps house families, but provides learning opportunities for them so they can become self-sufficient and free of government assistance.

The agency's primary funding source is the U.S. Department of Housing and Urban Development. It receives a relatively small amount of state funds. Local funds include **development linkage fees**, rents collected from public housing residents, and administrative fees. The agency receives no City General Fund monies. (See **budget**.)

The Housing Commission reports to the **San Diego Housing Authority** and the **Board of Commissioners**. Its **President and Chief Executive Officer** is Elizabeth C. Morris. The agency's **Executive Vice President and Chief Operating Officer** is Carrol Vaughan. There are approximately 245 employees. (See the **organizational chart**.)

Helping very low-income families afford rents

Tens of thousands of families and individuals in San Diego earn less than half of the **median area income**. They include seniors living on low fixed incomes, veterans who served the country, but cannot afford decent homes, single-parent and even two-parent families in low-wage jobs, and people with disabilities.

The Housing Commission administers two major programs to help house about 50,000 San Diegans. Unfortunately, the need is so great that more than 30,000 households are on a long (approximately five years) **waiting list** to get this help.

Each of these programs makes housing more affordable by reducing a family's rent amount to around 30 percent of the household income.

Rental Assistance: The largest program, with a budget of over \$117 million from federal funds, helps about 12,000 San Diego families to live in apartments and houses owned and managed by more than 6,000 private owners. Some Rental Assistance opportunities are reserved for persons with special needs. Landlords retain control over tenant selection and property management, and the Housing Commission makes rental subsidy payments directly to the landlords.

Publicly-Owned Housing: The San Diego Housing Commission's Publicly-Owned Housing program has been consistently rated by the U.S. Department of Housing and Urban Development (HUD) as one of the best in the nation. The Commission owns and manages close to 1,800 rental housing units scattered throughout the City, mostly in small sites (less than 25 units) – preventing a concentration of low-income families in any one community. Some units are reserved for seniors or residents with disabilities, but most are designated for families. Amenities such as tot lots, playgrounds, community rooms, and learning centers are provided at many of these sites, all of which are well designed and maintained to blend into and even enhance their neighborhoods. As owner, the San Diego Housing Commission carefully screens potential tenants and enforces a “zero drug/crime tolerance” policy.

Providing opportunities for economic independence

Participants in the Rental Assistance and Public Housing programs are encouraged to become part of the **Family Self-Sufficiency** (FSS) program. The FSS and similar programs operate in partnership with community-based organizations, government, and employers. Public Housing and Rental Assistance clients are provided with career planning, training, and support services to help them achieve financial independence. At the Commission's award-winning Learning Opportunity Centers, children are taught study and computer skills to improve their chances for educational and career success.

Working with the community

Financial assistance is provided to community service organizations helping people with special needs: agencies that operate shelters for battered women and children, transitional housing for homeless families, and permanent housing opportunities for persons with disabilities, the elderly, and individuals with debilitating illnesses.

Helping families develop roots

Home ownership is encouraged through **Mortgage Credit Certificates** (which reduce the homeowner's income taxes), "silent second" **shared equity loans** and **down payment/closing cost grants**. These programs are generally limited to low-income households, although some programs have different qualifications. In 2003 under most programs, a family of four earning up to \$51,050 per year could qualify for assistance in purchasing its first home.

Revitalizing communities

Below-market rate loans and technical assistance are provided to owners of affordable rental housing and low-income homeowners desiring to repair their property. Grants are also available to homeowners and mobile home owners for emergency home repairs.

Partnerships with business and nonprofits

The **Commission provides loans** at favorable terms for acquisition and rehabilitation, as well as new construction of affordable rental housing. It also provides land use incentives. Technical assistance and predevelopment funds are made available to nonprofit housing developers.

Housing policy leadership, planning, and monitoring

The Commission advises the City Council regarding housing policy matters. Recommendations are developed by working collaboratively with officials, community activists, interest groups, and others representing a variety of perspectives – including low-income housing advocates, housing industry representatives, and individual Community Planning Groups.

Through its active involvement in many local, state, national, and international organizations, the agency is able to provide a broad context in which to help develop housing and urban development policies that affect San Diego. The agency takes a lead role in developing comprehensive housing policy documents including the **City's Consolidated Plan** (a HUD-required strategic plan to determine how the City should be allocated dollars from federal funding sources). It assists the City Planning and Community Investment department in preparing the Housing Element (an element of the state-mandated **General Plan** outlining a five-year strategy for meeting housing goals). In addition, the agency has taken the lead in developing and administering local housing policies such as inclusionary housing regulations and single-room occupancy hotel regulations.

The agency also monitors affordable housing developments and sites to ensure they meet regulatory requirements.

In addition, the Housing Commission supports the San Diego Fair Housing Council, the City-County Reinvestment Task Force, the Regional Task Force on the Homeless, and other groups addressing the region's need for affordable and military housing.

Mission

The San Diego Housing Commission is committed to providing quality housing opportunities to improve the lives of those in need. Its **core values** are respect, integrity, communication and excellence.

How to contact the Housing Commission by telephone

Following are phone numbers for the Housing Commission's main office and housing assistance programs and departments. ([Click here for additional contact information.](#))

Main office: (619) 231-9400 (general questions)

Rental Assistance and Publicly-owned housing: (619).578-7305 (application and waiting list information)

Housing rehabilitation and first-time homebuyer programs: (619).578-7316

Affordable housing development and financing: (619).578-7580

Employment information: (619).578-7301

Ombudsperson: (619).578-7553 (for clarification about housing assistance program requirements or for help with specific concerns)

Housing Statistics

San Diego's housing crisis – statistics and quotes

Increasing housing prices in San Diego:

- “San Diego County’s high housing prices, coupled with its relatively low wages, make it the **second least affordable area in the country**, the National Association of Home Builders reported.” (*San Diego Union-Tribune*, 1/7/05)
- The average **new detached home in San Diego County sells for \$781,000**, the average new condominium for \$490,000 and the average condo conversion unit for \$303,000. (2/28/05, *San Diego Business Journal*/MarketPointe Realty Advisors.)
- San Diego County’s **resale single family homes are at a record high median price of \$530,000**; the median resale price for condos is \$380,000. (SDUT/DataQuick Information Systems, 2-11-05)
- The **median price of housing in San Diego doubled between 2000 and 2004, but the median household income only increased 10.4 percent**. (SDUT, 10/31/04)
- Just **11 percent of households are able to purchase the median-priced home**, according to the California Association of Realtors. (*North County Times*, 2/11/05)

- According to the National Association of Realtors, **“The median price of a single-family house [in San Diego] has increased \$152,700 in the last year, or \$418 per day.”** (SDUT, 8/31/04)
- **“San Diego’s Housing Market is one of the most inflated in the country – a detrimental factor in terms of recruiting and retaining employees,’ said Kristine Norquist, Communications Manager for the San Diego Regional Chamber of Commerce.”** (*The Daily Transcript*, 2/18/05.)
- **“Housing prices are too high for middle-income people,’** said Larry Fitch – the president of San Diego Workforce Partnership. ‘People are now living in Tijuana and Riverside and putting stress on our roads commuting to their jobs because they can’t afford homes in San Diego, and some people are leaving the area.’” (SDBJ, 1/17/05)
- **Families have to make nearly \$135,000 to afford median priced homes in San Diego.** In other words, the median income of San Diego households is less than half what is needed to buy a median priced home. **“The monthly income needed to buy a median-priced home in San Diego County rose to \$134,420, from \$109,130”** from December 2003 to December 2004. (NCT, 2/11/05)
- In San Diego, 29 percent of residents are considering moving out of the state because of high housing prices, according to the Public Policy Institute of California. (SDUT, 11/18/04)

Incomes:

- In San Diego, the median income for a family of four is \$63,400, according to the U.S. Department of Housing and Urban Development.
- **“In San Diego County, one in every five – or 20 percent – of every renter household spends at least 50 percent of its income on housing,”** according to the U.S. Census Bureau. (SDUT, 8/27/04.)
- Examples of average wages not keeping up with housing prices (according to the National Housing Conference’s Center for Housing Policy): elementary school teacher, \$48,840; police officer, \$58,370; nurse \$35,080; retail salesperson, \$19,150; and janitor, \$18,110. (San Diego Housing Federation weekly brief, 8/27/04).
- SANDAG estimates that 172,000 local employees, or 13 percent of the work force, earn less than \$8.35 an hour.

Apartment shortages and rents in San Diego:

- **The average apartment rent in San Diego is \$1,210 – a nearly 100 percent increase from 1990,** when average rents were \$643 (SDUT, 8/27/04 and 10/21/03).
- Rental vacancies in San Diego have fluctuated between less than one and four percent from 1997-2004. The region’s vacancy rate is currently 3.7 percent. (San Diego County Apartment Association Fall Vacancy and Rental Rate Survey, released 12/04)

Housing shortage and traffic:

- Over the last ten years, the number of people commuting between Riverside and San Diego Counties increased by 167%, according to the U.S. Census Bureau. (SDUT 3/6/03)
- The lack of affordability and traffic congestion are the biggest problems facing Californians, according to a survey conducted by the Public Policy Institute of California. (SDUT, 11/18/04)

Housing Policy

- “Inclusionary zoning has surfaced as one policy solution to rising housing costs in big cities...” San Diego is a “trail-blazing example that other urban centers can follow. (American Planners Association, Zoning Practice, October 2004)

Updated March 11, 2005

APPENDICES

PLANNING ACRONYMS

ORGANIZATIONS

APCD	Air Pollution Control District
CALTRANS	California Department of Transportation
CC	City Council
CCDC	Centre City Development Corporation
CPC	Community Planners Committee
DEP	Development and Environmental Planning Division
E&D	Engineering and Development Department
HC	Housing Commission
HSB	Historic Site Board
LAFCO	Local Agency Formation Commission
LU&H	Land Use and Housing (Formerly Transportation and Land Use Committee)
MTDB	Metropolitan Transit Development Board
NCCD	Neighborhood Code Compliance Department
PC	Planning Commission
PF&R	Public Facilities and Recreation Committee
RULES	Rules, Legislation and Intergovernmental Relations
SANDAG	San Diego Association of Governments
SB/SRC	Subdivision Board/Subdivision Review Committee
SEDC	Southeast Economic Development Corporation

TERMS

ADT	Average Daily Trips
CBD	Central Business District
CC&R	Covenants, Codes and Restrictions
CDBG	Community Development Block Grant
CEQA	California Environmental Quality Act
CLU	Classification of Use
CLUP	Comprehensive Land Use Plan
CP	Commercial Parking
CPA	Community Plan Amendment
CUP	Conditional Use Permit
CVREP	Carmel Valley Restoration and Enhancement Program
CWP	Clean Water Program
Db	Decibel
DU/NRA	Dwelling Units per Net Residential Acre
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
FAR	Floor Area Ratio
FAZ	Flight Activity Zone
FM	Final Map
FP	Flood Plain
FPF	Flood Plain Fringe
FSDRIP	First San Diego River Improvement Project

FUA	Future Urbanizing Area
FW	Floodway
GIS	Geographical Information Systems
GP	General Plan
GPA	General Plan Amendment
HR	Hillside Review
HRP	Hillside Review Permit
IDO	Interim Development Ordinance
JTF	See Raconteur
LCP	Local Coastal Program
LDP	Land Development Permit
LOS	Level of Service
MF	Multifamily
MIP	Manufacturing/Industrial Park
MND	Mitigated Negative Declaration
MOU	Memorandum of Understanding
MSCP	Multiple Species Conservation Plan
ND	Negative Declaration
NEPA	National Environmental Policy Act
OSMD	Open Space Maintenance District
PCD	Planned Commercial Development
PDO	Planned District Ordinance
PID	Planned Industrial Development
POD	Pedestrian-Oriented Development
PPM	Permit Process Management
PRD	Planned Residential Development
PSD	Park Service District
PUD	Planned Unit Development
RAQS	Regional Air Quality Strategy
RGMS	Regional Growth Management Strategy
RPO	Resource Protection Ordinance
RTIP	Regional Transportation Improvement Plan
RTP	Regional Transportation Plan
RUIS	Regional Urban Information System
SA	Street Action
SCR	Sensitive Coastal Resource
SDRVRP	San Dieguito River Valley Regional Park
SF	Single-Family
TAZ	Transit Analysis Zone
TDM	Transportation Demand Management
TDR	Transfer of Development Rights
TM	Tentative Map
TOD	Transit-Oriented Development
UDAG	Urban Development Action Grant
ZCU	Zoning Code Update

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

A Guide to California Multifamily Disabled Access Regulations

Atlas Specific Plan

Background Summary City of San Diego Growth Management Program

Balboa Park Master Plan Amendment

Balboa Park –Central Mesa Precise Plan

Balboa Park Master Plan

Barrio Logan / Harbor 101 Community Plan

Barrio Logan Revitalization Action Plan

Blackhorse Farms

Border Highlands

California Permit Hand Book

California Terrance City of San Diego Precise Plan

Carmel Del Mar Neighborhoods 4,5,6 Precise Plan

Carmel Del Mar Neighborhood Precise Plan

Carmel Mountain Ranch Community Plan

Carmel Mountain Ranch Special Sign District Guidelines

Carmel Mountain Ranch/ Commercial Design Guidelines

Carmel Valley Development Unit- 3 Precise Plan

Carmel Valley Neighborhood 10 Precise Plan

Carmel Valley Precise Plan

Carmel Valley Precise Plan – Design Elements

Carmel Valley Signage Guidelines and Criteria December 11,1990

CEQA-California Environment Quality Act

City of San Diego Planning & Development Review Department Environmental Analysis Section
Significance Determination Guidelines

City of San Diego Supplement Amendments

City of San Diego Street Design Manual

Clairemont Mesa Community Plan

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

Clairemont Mesa Entry Way Project

Clairemont Mesa Public Facilities Financing Plan

Coastal Development Information Guide

Coastal Development Permit Book

College Area Community Plan

College Community Redevelopment Project Master Project Plan MMP

Comments Responses to Comments Environmental Impact Statement / Environmental Impact Report – Navel Training Center

Community Identification Signs

Community Planning Implementation

Convening Report to the City Of San Diego Concerning San Diego Zoo Leaseholder & Balboa Park Plan Amendment Request

Core Sub-Area Design Manual College Community

Costa Verde /Specific Plan

Del Mar Mesa Specific Plan

Dennerly Ranch /Precise Plan

Development Unit Four-A Precise Plan

Draft Environmental Impact Report

Drainage Design

Elliot Community Plan

Energy and Land Development Process

Environmental Impact Statement / Environmental Impact Report / Navel Training Center

Fairbanks Ranch Country Club/ Specific Plan

Fay Avenue Plan

Fay Avenue Study /Background and Technical Report

Final Report Black-Ribbon Committee on Mobile Home Parks

First San Diego River /Improvement Project /Specific Plan

Getting Started with your Review a Guide for Community Planning Committees

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

Grant Hill Revitalization Action Program

Greater Golden Hill Community Plan

Greater Golden Hill 25th Street Revitalization Plan

Greater Golden Hill Design Criteria and Guidelines

Greater Golden Hill –Fern Street and 30th Street Revitalization Plan

Greater Golden Hill Planned District Ordinance

Greater Golden Hill Revitalization Action Program

Greater Golden Hill Historic District #2

Greater North Park Community Plan

Guidelines for Automobile Service Station

Guidelines for Future Development /Amendment to the Progress Guide & General Plan

Hillside Review Overlay Zone and Hillside Design and Development Guide

Historic Site Inventory and Core for Centre City Development Ccdc

Historic Site Inventory of El Cortez for Centre City Development Ccdc

Historic Site Inventory of Harbor View for Centre City Development

Housing Element Annual Review Draft

Housing Element Volume 1

Housing Element Volume 2

Housing Guide to Regulations Neighborhood Code Compliance Department

Injury and Illness Prevention Program

Inspiration Point – Precise Plan

Kearney Mesa Community Plan

La Jolla – La Jolla Shores Coastal Program Addendum

La Jolla –An Historical Inventory

La Jolla Community Plan

La Jolla Precise Plan

La Jolla Shores / Local Coastal Program

La Jolla Shores Design Manual

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

La Jolla-Public Facilities Financing Plans

Land Development Code

Land Development Code Landscape Standards

Land Development Code Steep Hillside Guidelines

Landscape Technical Manual

Levi –Cash Man Specific Plan

Linda Vista Community Plan

Linda Vista-Public Facilities Financing Plan

Lindbergh Field Airport Influence Area

Living with Seismic Risk Strategies for Urban Conservation

Locational Criteria, Design & Development Standards & Guidelines for Senior Citizen Housing Projects

Los Peñasquitos Lagoon Enhancement Plan And Program

Master Plan Los Peñaquitas Canyon Preservence

Mid City And North Park Revitalization Plan

Mid City Communities Plan

Mid City Community Planned District Ordinance

Midway Pacific Highway Corridor Existing Conditions Report

Midway/Pacific Highway Corridor Community Plan & Local Coastal Program Land Use Plan

Mira Mar Ranch North Community Plan

Mira Mesa Community Plan and Local Coastal Program

Miramar Ranch North Facilities Financing Plan

Mission Bay Coastal Access Study

Mission Bay Park Master Plan and Update Design Guidelines

Mission Bay Park Master Plan for Land and Water Use

Mission Bay Park Shorelines Stabilization and Restoration Project Plan

Mission Beach Precise Plan and Local Coastal Program Addendum

Mission City Specific Plan

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

Mission San Diego de Alcalá/The Archaeological Design & Framework
Mission San Diego Department Alcohol /The Archaeological Design Fieldwork
Mission Trails Design District
Mission Trails Regional Park
Mission Valley Community Plan
Mission Valley Heights Specific Plan
Mission Valley Intern Public Facilities Financing Plan and Development Impact Fee
Mission Valley Planned District
Mission Valley Public Facilities Financing Plan, Fiscal Year 2006
Mitigation ,Monitoring And Reporting Program Guidelines (MMRP)
Mobile Home and Camping Parking
Multifamily Parking Requirements Users Guide
Multiple Species Conservation Program (MSCP) Plan and Final
Navajo Community Plan
Navel Training Center / Environmental Impact Statement /Environmental Impact Report
Navel Training Center /Appendix /Comments /Responses to Comments- Environmental Impact Statement /Environmental Impact Report
Navel Training Center San Diego Reuse Plan
Neighborhood 8A Specific Plan /Precise Plan
Neighborhood Precise Plan Pardee Construction Company
New –Century Center Volume 1 Master Plan Exhibit A
North City Future Urbanizing Framework Plan
North City Local Coastal Program-Land Use Plan
North City West Carmel Valley Neighborhood 8 Precise Plan
North City West Community Plan
North City West Employment Center
North City West Town Center Development Unit Number Nine
North Park Defensible Space Pilot Program

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

North Side Specific Plan

North University Loop/Shuttle Financing Project

Ocean Beach Precise Plan & Local Coastal Program Addendum

Ocean Beach Action Plan

Off Street Parking Lots

Old San Diego

Old Town San Diego Community Plan

Open Space & Sensitive Area Preservation Study-Background Report

Otay International Center-Precise Plan

Otay Mesa Development District

Otay Mesa/Nestor-Community Conditions Report

Otay Mesa-Nestor Community Plan

Pacific Beach Community Plan

Pacific Beach Public Facilities Financing Plan

Pacific Highlands Ranch

Park And Recreation Planning Study

Pave Paradise An Issue Paper By Land Guidance Section of City of San Diego Transportation Demand Management Program

Peninsula Community Plan and Local Coastal Program Land Use Plan

Peninsula- Public Facilities Financing Plan

Plain Language About Redevelopment

Plumbing and Mechanical Code Of San Diego

Precise Plan Carmel Valley Development Unit Seven

Precise Plan-Santee Investments/ Otay Mesa

Progress Guide & General Plan

Project First Class (Urban Design Program)

Rancho Bernardo Community Plan

Rancho Bernardo-Public Facilities Financing Plan

CITY OF SAN DIEGO PUBLICATIONS LIST

Publication can be obtained for a fee by calling the Development Services Department at (619) 446-5000.

Several publications are available online at

<http://www.sandiego.gov/planning/community/plans.shtml>.

Rancho Encantada Precise Plan

Rancho Peñasquitos Community Plan

Redevelopment Plan for the Barrio Logan Redevelopment Project

Rio Vista West

Rivera Del Sol Precise Plan

Robinhood Ridge Precise Plan

Rules And Regulations for Reclaimed Water Use and Distribution with San Diego

Sabre Springs Community Plan

Sabre Springs Special Sign District Guidelines

Sabre Springs-Public Facilities Financing Plan & Facilities Benefits Assessments

San Diego Bay-Balboa Park Link Study

San Diego Locational Criteria Design Development Standard and Guidelines For Senior Citizen Housing

San Diego Street Design Manual

San Diego Zoo Lease Revision Proposal Public Document

San Diequito River Regional Plan

San Pasqual Valley Plan

San Pasqual Valley Public Facilities Financing Plan

San Ysidro Community Plan

Santee Investment –Otay Mesa Precise Plan

Scripps Miramar Ranch Community Plan
