

**Development Review Process Workshop**

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# **Development Review Process and Permits**

**June 28, 2012**

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Development Project Manager**

**City of San Diego  
Development Services Department**



# Presentation Overview

- Decision process
- The applicant
- The community group
- Project schedules



# Presentation Overview

- Findings
- Plans
- Comments & Conditions
- Community plans
- Questions?



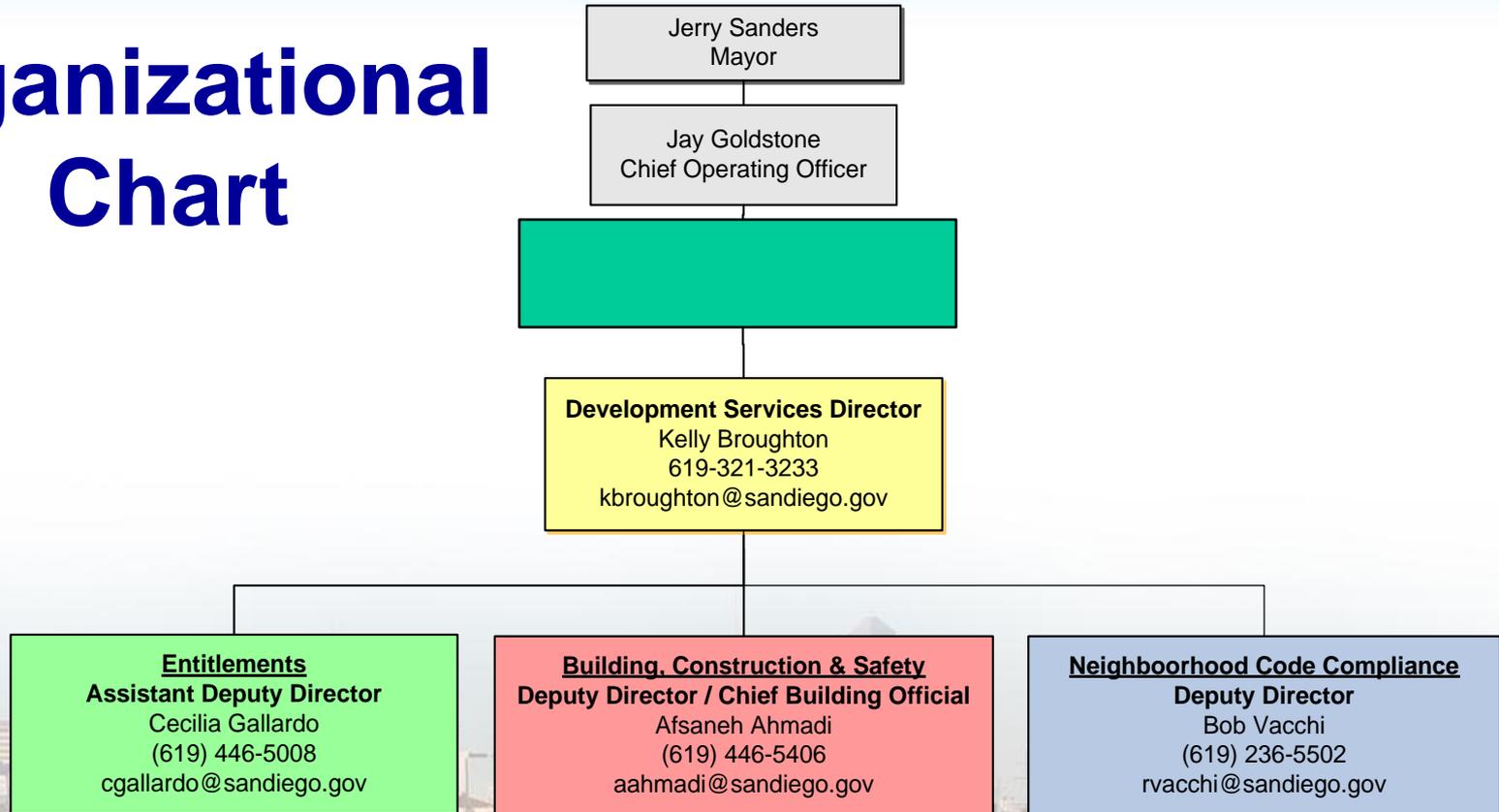
# Vision of the Department

*Developing quality  
communities through  
service, partnership and  
innovation*



# Development Review Process Workshop

## Organizational Chart



## Decision Making Process

Who are those guys?

- Staff – process 1 & 2
- Hearing Officer – process 3
- Planning Commission – process 4
- City Council – process 5



## Decision Making Process

What determines the decision maker?

- Land Development Code
- State Law (SMA/CEQA)
- Courts



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## Approval Types

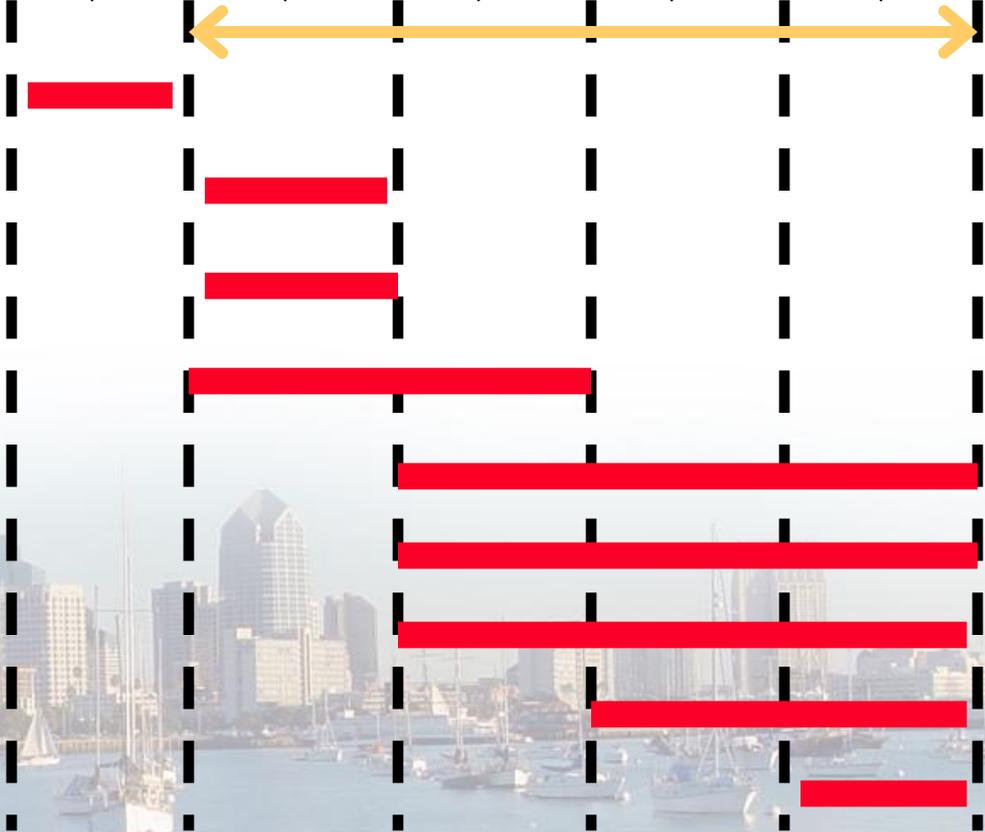
*Discretionary Entitlement*

*"By Right"*

## Decision Process



- Construction Permits
- Neighborhood Use Permits
- Neighborhood Dev. Permits
- Site Development Permits
- Conditional Use Permits
- Coastal Development Permits
- Subdivision Maps
- Planned Development Permits
- Legislative Actions



## Decision Making Process

Why is the decision level process important?

- Generally, the higher the process the more complex and significant a project is.
- Affects appeal level



## Decision Making Process

### Decision maker v. Advisor

- A community group is an advisory body
- City staff is an advisory body
- The Police Dept. is advisory.
- Only decision makers approve or deny a project.



## The Applicant

- What is a developer?
- What is their goal?
- What is their level of expertise in the entitlement process?
- Is everybody treated the same?



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## The Applicant

What/Who is a developer?

- By definition, everybody who applies for a development permit is a developer.



# The Applicant

What is their level of expertise in the entitlement process?

- Big-time professional builder?
- Lawyer?
- Consultant?
- First time/last time homeowner or mom & pop business owner?



# Planning Group Member

Fancy meeting you here!

- Why are you involved?
- What is your role?
- Who do you represent?
- Would your community agree?
- Don't take it personal.



# Development Project Schedule

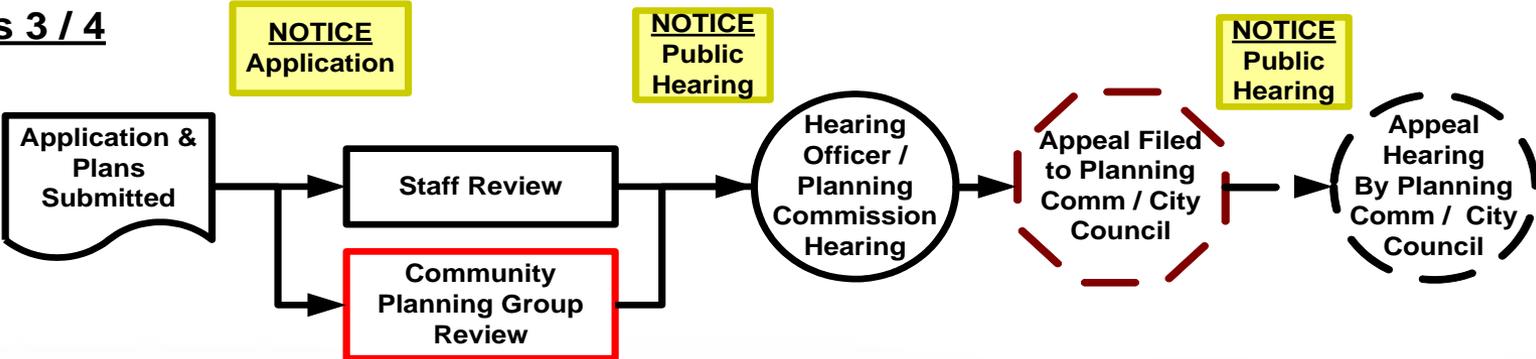
- When do you see a project?
  - After first assessment letter
- Information Items and action Items
- Does your CPG enhance the project through timely public dialog?
- Sooner rather than later.



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## Process 3,4,5

### Process 3 / 4



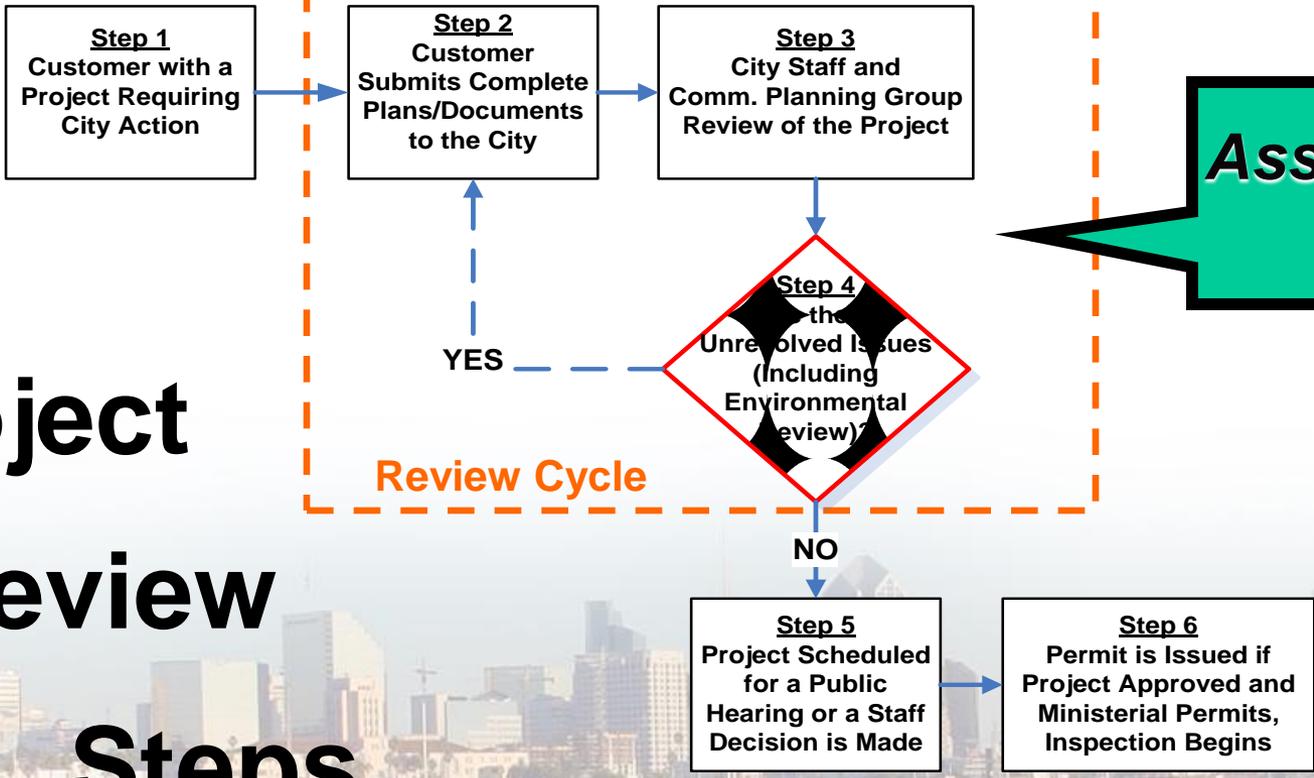
### Process 5



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*Notice of Application  
First Set of Plans to  
Community Group*

*Second Set of Plans sent  
to Community Group if  
Changes in project.*



**Assessment  
Letter**

**Project  
Review  
Steps**



# PROJECT PLANS

- Submittal Requirements
  - Completeness check
- Routing sequence
- Reading and comprehending plans.
- Plan comments should be specific.
- Use your resources.



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## Community Plans

A community plan is a public document which contains specific proposals for future land uses and public improvements in a given community.

A community plan is part of the City's General Plan. It provides tailored policies and a long-range physical development guide for elected officials and citizens engaged in community development.



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# Community Plans

- 52 recognized community plans, precise plans or specific plans.
- 10 currently undergoing comprehensive updates.
- Community plan v. zoning – policy v. regulation.
- OK to be subjective.



## FINDINGS

- What is a finding?.
- Why is it called a finding?.
- Why you should focus on the findings.
- Findings give your issues weight.



## FINDINGS

Findings means determinations based upon a statement or set of statements of factual evidence that are used as the criteria for making a decision on a discretionary action.

(Land Development code)

The result of a judicial examination or inquiry - the results of an investigation —usually used in plural>

(Merriam Webster)



# BASIC FINDINGS

- The proposed development will not adversely affect the applicable land use plan;
- The proposed development will not be detrimental to the public health, safety, and welfare; and
- The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.



# USING FINDINGS

- **Frame issues within the finding**
- **State why a project would adversely effect the community plan – why it would be detrimental to public health, safety or welfare - be specific.**
- **A decision maker cannot ignore this type of comment as it impedes the ability to approve a project.**



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## CC&R's

**Comments must be timely to be effective.**

- Most groups don't provide comments until the second review?
- DPM proxy's in standard comment
- Applicant starts working to address staff issues



## CC&R's

**Conditions must have a nexus to be reasonable.**

–Nexus: relationship /connection/link

–Must be proportional to the requested action/scope of work.



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## CC&R's

**Your Recommendations should be based on your community plan's recommendations.**

- Plan elements and goals**
- remember: findings!**



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## CC&R's

### A couple more things...

- meeting minutes – we really need these.
- less is not more! Include any discussion.
- email please.



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Community  
Planning Group  
Recommendation

## Staff Reports

DATE	June 2, 2005	REPORT NO. PC-05-156
ATTENDEES	Planning Commission, Agenda of June 9, 2005	
SUBJECT	MISSOURI STREET TENTATIVE MAP - PROJECT NO. 50055 PROCESS 4	
OWNERS APPLICANTS	DAVID LEPRE, Individual, CRAIG RUBIN, Individual, KEN AND GINA RUBIN, Husband and Wife, and BUDD AND JOANNE RUBIN, Husband and Wife.	
SUMMARY	<p>(s): Should the Planning Commission approve a Tentative Map, Waiver of Undergrounding and a Coastal Development Permit to convert eight (8) rental apartment units to condominium ownership at 911 Missouri Street in the Pacific Beach Community Plan area?</p> <p><b>Staff Recommendation:</b></p> <p>1. APPROVE Tentative Map and Waiver of Undergrounding No. 148367; and</p> <p>2. APPROVE Coastal Development Permit No. 204655.</p> <p><b>Community Planning Group Recommendation:</b> The Pacific Beach Community Planning Committee approved this application by a vote of 14-0 on January 25, 2005, with no conditions.</p> <p><b>Other Recommendations:</b> None.</p> <p><b>Environmental Review:</b> The project is Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Article 19, Section 15301(k), existing facilities.</p>	

- CPG recommendation is presented on front page.
- as an attachment to the report.
- Included in the body of the report as needed.



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## Summary

- 5 decision processes
- CPG's are advisory bodies
- Applicants come in all shapes and sizes
- You represent your community
- Keep projects moving
- Be respectful



## Summary

- Findings give your issues legitimacy and teeth
- Review & understand the plans
- Rely on technical experts but remember you are a community expert
- Get the project scheduled ASAP
- Comments founded on the community plan
- Conditions require a nexus



## Summary

- Meeting minutes are a big deal!
- Open communication
- Community Plans are policy documents with recommendations and goals.
- OK to be subjective
- don't make it personal



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# Questions?



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