

WHAT TO KNOW WHEN REVIEWING PROJECTS

WHAT TO KNOW WHEN REVIEWING PROJECTS/PUBLIC PROJECTS

June 30, 2014

Presenters:

**Kerry Santoro & Will Zounes
Development Services Department**



**City of San Diego
Development Services Department**

Presentation Overview

- Discretionary Entitlements
- Decision Makers
- The Applicant
- The Community Group
- Project schedules
- Plans for Review
- Community Plans
- Findings
- Comments, Conditions, and Recommendations
- Q and A



RECORDING REQUESTED BY

CITY OF SAN DIEGO
DEVELOPMENT SERVICES
DEPARTMENT
PERMIT INTAKE, MAIL STATION 501

**WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A**

THE ORIGINAL OF THIS DOCUMENT
WAS RECORDED ON JAN 31, 2014
DOCUMENT NUMBER 2014-0043420
Ernest J. Dronenburg, Jr., COUNTY RECORDER
SAN DIEGO COUNTY RECORDER'S OFFICE
TIME: 10:58 AM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 24002181

CONDITIONAL USE PERMIT NO. 908816
SANTALUZ – PROJECT NO. 257983
CITY COUNCIL

This Conditional Use Permit No. 908816 is granted by the City Council of the City of San Diego to Santaluz, LLC, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 141.0413 and 126.0602. The 3.28-acre site is located at 14740 Via Fiesta in the AR-1-1 zone of the Black Mountain Ranch Planning area. The project site is legally described as: Lots 4 and 6 of Black Mountain Ranch Unit 10A per Map No. 14497;

Subject to the terms and conditions set forth in this Permit, permission is granted to SANTALUZ, LLC Owner/Permittee to construct a 71,630 square-foot nursing facility designed for Assisted Living and Memory Care for senior citizens described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated JAN 14 2014, on file in the Development Services Department.

The project shall include:

- a. A 64-unit, 71,630 square-foot nursing facility specializing in assisted living and memory care for senior citizens;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Recreation area, community garden, and common area;
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the

ARCHITECTURE
SPACE PLANNING
DEVELOPMENT






Decision Makers

Who are these folks?

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



State of California

Government Code

Title 7. Planning and Land Use

Division 2. Subdivisions

(Subdivision Map Act)

[Subdivision Map Act](#)

And


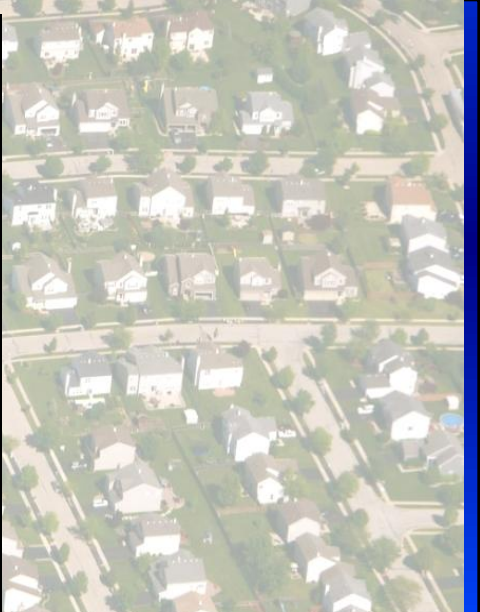

Government Code

Title 7. Planning and Land Use

Division 3. Official Maps

[Division 3](#)

April, 2008



WHAT TO KNOW WHEN REVIEWING PROJECTS

Approval Types

"By Right"

Discretionary Entitlement

Decision Process

Construction Permits

Neighborhood Use Permits

Neighborhood Dev. Permits

Site Development Permits

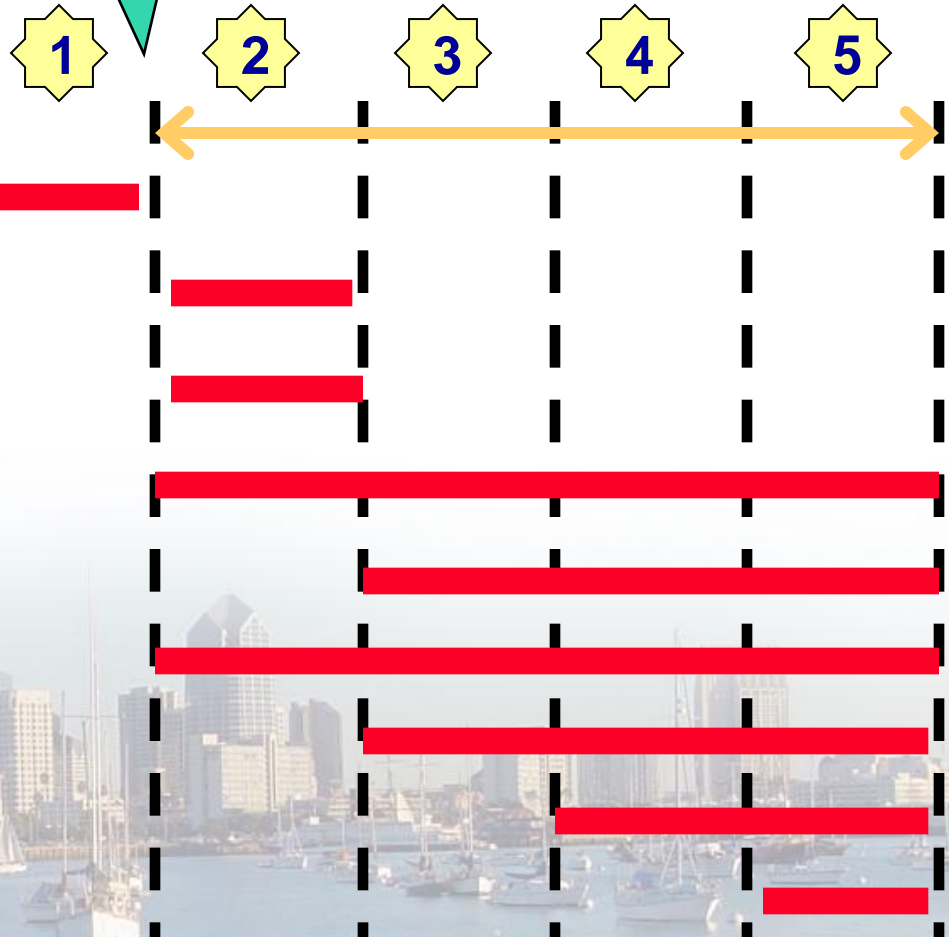
Conditional Use Permits

Coastal Development Permits

Subdivision Maps

Planned Development Permits

Legislative Actions



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WHAT TO KNOW WHEN REVIEWING PROJECTS

Decision Making Process

Why is the decision level process important?

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



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Development Services Department**

WHAT TO KNOW WHEN REVIEWING PROJECTS

Decision Making Process

Decision maker vs. Advisory Body:

- A community group is an advisory body.
- City staff reviewers are advisory.
- DMP, HO, PC, and CC are Decision Makers.
- Only decision makers approve or deny a project.



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Public Projects:

- **Libraries**
- **Sewer/Water**
- **Roads**
- **Bike Trails**
- **Parks**



Planning Group Member

- **Why are you involved?**
- **What is your role?**
- **Who do you represent?**
- **Would your community agree?**



Development Project Schedule

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

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

Step 1
Customer with a
Project Requiring
City Action

Step 2
Customer
Submits Complete
Plans/Documents
to the City

Step 3
City Staff and
Comm. Planning Group
Review of the Project

**Assessment
Letter**

Step 4
Are there
Unresolved Issues
(Including
Environmental
Review)?

YES

Review Cycle

NO

Step 5
Project Scheduled
for a Public
Hearing or a Staff
Decision is Made

Step 6
Permit is Issued if
Project Approved and
Ministerial Permits,
Inspection Begins

**Project
Review
Steps**



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WHAT TO KNOW WHEN REVIEWING PROJECTS

Development Project Schedule

- Sooner rather than later- time is money.
- When can you expect to see a project?
 - After first assessment letter
- Information Items and Action Items
- Amount and Role of Subcommittees.
- Does your CPG enhance the project through timely public dialog?



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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.

Community Plans

- Does your Community Plan include hieroglyphs
- Community plan v. zoning – policy v. regulation.
- OK to be subjective.

FINDINGS

- **What is a finding?**
- **Why is it called a finding?**
- **What are the Different Findings?**
- **Why you should you care about the findings?**
- **Framing an issue around findings.**



FINDINGS: Definition

Findings are a determination 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)



A vibrant, stylized landscape featuring a winding yellow brick path, a rainbow in the sky, and a distant green castle. The path is made of yellow bricks and winds through a green field with patches of red and yellow. In the background, a tall, green, spire-like castle stands under a blue sky with a rainbow and white clouds. The overall scene is bright and colorful, with a whimsical, storybook-like quality.

FINDINGS:

Why is it called a finding?

WHAT TO KNOW WHEN REVIEWING PROJECTS

FINDINGS: Types

Conditional Use Permit - Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan;
2. The proposed development will not be detrimental to the public health, safety, and welfare;
3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and
4. The proposed use is appropriate at the proposed location.



WHAT TO KNOW WHEN REVIEWING PROJECTS

FINDINGS: Why should you care?

- **Supports your recommendation(s).**
- **Keeps the subject issue on track during a meeting.**
- **Motions to approve or deny are commonly made based on findings.**



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WHAT TO KNOW WHEN REVIEWING PROJECTS

FINDINGS: Framing a Finding

- **Frame issues within the finding**
- **State why a project would adversely affect the community plan or why it would be detrimental to public health, safety or welfare - be specific.**
- **A decision maker will always consider this type of comment because it is directed at the ability or inability to approve a project**





THE CITY OF SAN DIEGO

November 29, 2011

Joe Taylor
Taylor Consulting Group
4853 Beaumont Drive
La Mesa, CA 91941

Dear Joe:

Subject: Santa Luz Assisted Living, **Assessment Letter**; Project No. 257983; IO No. 24002181; Black Mountain Ranch

The Development Services Department has completed the **Initial Review** of the project referenced above, and described as a Conditional Use Permit for a 64 unit (74 bed) 71,584 square-foot assisted living facility on a vacant 3.28 acre site at 14740 Via Fiesta in the AR-1-1 Zone within the Black Mountain Ranch Community Plan. Council District 1.

Enclosed is a Cycle Issues Report (Enclosure 1) which contains review comments from staff representing various disciplines, outside agencies and the community planning group. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of your project.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

As your Development Project Manager, I will coordinate all correspondence, emails, phone calls, and meetings directly with the applicants assigned "Point of Contact." The addressee on this letter has been designated as the Point of Contact for your project. Please notify me if you should decide to change your Point of Contact while I am managing this project.

WHAT TO KNOW WHEN REVIEWING PROJECTS

Comments, Conditions, & Recommendations:

Conditions must have a nexus to be reasonable.

- **Must be proportional to the requested action/scope of work.**
- **Recommendation: The sooner the better to the Project Manager**



WHAT TO KNOW WHEN REVIEWING PROJECTS

Comments, Conditions, & Recommendations:

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

- **Plan elements and goals.**
- **Remember findings.**



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WHAT TO KNOW WHEN REVIEWING PROJECTS

Comments, Conditions, & Recommendations:

A couple more things...

- **meeting minutes.**
- **less is not more! Include any discussion.**
- **email please.**



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WHAT TO KNOW WHEN REVIEWING PROJECTS

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



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WHAT TO KNOW WHEN REVIEWING PROJECTS

Summary

- Findings give your issues legitimacy and weight
- 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



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WHAT TO KNOW WHEN REVIEWING PROJECTS

Summary

- **Meeting minutes are important.**
- **Community Plans are policy documents with recommendations and goals.**
- **OK to be subjective.**
- **Don't make it personal.**



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Questions?