

June 24, 2019

TO: Uptown Planners

FR: Mat Wahlstrom

RE: Open Letter Regarding Proposed Changes to Uptown Planners Bylaws

As was demonstrated during the last Uptown Community Plan Update, there is a continuing effort by advocates of zero planning restrictions to limit if not eliminate local input on land use decisions. While continuously stressing that community planning groups (CPGs) are simply advisory, they simultaneously sponsor efforts to water down whatever advice these boards do provide by attacking adequate representation. There is no clearer demonstration of this than the current agenda action item to change the Uptown Planners Bylaws.

In response to pro-developer lobbying over the past several years, both the [San Diego County Grand Jury](#) and the [San Diego City Auditor](#) investigated their claims that “CPGs tend to delay hearing certain items as a method of restricting growth in their communities.” What is striking is that neither found any evidence of this, but both did lay blame for delays on the City’s refusal to provide adequate support to CPGs with staff, education, and resources.

So with those accusations proven untrue and the efforts to get the Grand Jury and Independent Auditor to carry their water failed, a “proposal for reform” was launched by Circulate San Diego, a [developer funded lobbying group](#). Under cover of “cleaning up” the Bylaws, what is being attempted instead is to neuter CPGs by other means.

In sum, none of the currently proposed amendments to the Bylaws are in response to any independent governmental oversight recommendations, and only one the result of board discussion, but cut whole cloth from a [report created by Circulate](#). These include:

- Changing the attendance requirement to serve on the board from three meetings to one
- Leaving (up to four) vacancies on the board until the next annual election rather than continue to allow the board to vote to fill them
- Mandatory lifetime term allowances of eight years
- Gutting clear succession and term allowances
- Splitting up seats into neighborhood and at-large designations, needlessly introducing divisiveness in representation and opportunities for coordinated electioneering
- Dividing the responsibility for posting and circulating information from the board chair to others, which would create uncertainty and violate the flow of information required for compliance with the Brown Act

Let us be clear: these are not “best practices,” as the Ad Hoc Chair* represents them. At best shallowly conceived solutions in search of a problem, they are verifiably partisan ploys to sow discord and undermine the coherence and credibility of Uptown Planners. And in fact, these changes would run counter to the recommendations made by the Grand Jury and the City Auditor.

They strike at the heart of the institutional memory needed to comprehend the back story on long-standing attempts to rewrite the terms of land usage. This was demonstrated in 2015, as the owner of the Village Hillcrest attempted once again to change its 1988 Conditional Use Permit to [rezone 16 residential units to commercial](#), and failed only due to a board member’s knowledge of the original project.

Finally, as these proposed Bylaws changes originated from a third-party private organization and not from board discussion, they violate [the current Bylaws](#) (taken from the original shell and City Council [Policy 600-24](#)):

- Article I Section 5 requires that “The official positions and opinions of the Uptown Planners shall not be established or predetermined by any organization other than the Uptown Planners”
- Article VI Section 9(ix) on “Collective Concurrence – Any attempt to develop a collective concurrence of the member of the Uptown Planners as to action to be taken on an item...either by direct or indirect communication, by personal intermediaries, by serial meetings, or by electronic means other than at a properly noticed public meeting, is prohibited”

If cleaning up the Bylaws was really the intent of those behind these changes, then by now someone should have moved to change Article VI Section 6 to read that newly seated members must complete training “within 60 days,” as Article III Section 2 correctly states, rather than the “within 12 months of being elected” it is now.

I urge Uptown Planners to make this amendment, and the one numbered #6 to establish a standing committee for Public Facilities, and to reject #7–13 for the reasons given.

Thank you for your consideration.

Mat Wahlstrom

Attached: Summary recommendation pages of Grand Jury and City Auditor CPG reports

*The Operations Ad Hoc Chair is a [founding member of Circulate](#)

SAN DIEGO CITY COMMUNITY PLANNING GROUPS

SUMMARY

The 2017/2018 San Diego County Grand Jury (Grand Jury) received a citizen's complaint alleging that the City of San Diego Community Planning Groups (CPGs) tend to delay hearing certain items as a method of restricting growth in their communities.

CPGs make recommendations to the City Council, Planning Commission, city staff and other governmental agencies on development projects in their community.

Following an investigation of CPG actions, policies, and procedures, the Grand Jury recommends that the Mayor of San Diego:

- Review Community Planning Group boundaries and determine if consolidation of some CPGs should take place.
- Determine if the Planning Department should develop methods and provide resources to improve recruiting that could result in more diverse CPG membership.
- Determine if members of the Planning Department staff should attend all CPG meetings.
- Consider directing San Diego City Neighborhood Services Department staff to closely monitor CPG actions and provide timely guidance to preclude requests for inappropriate project additions or modifications.
- Determine if all CPG members should be required to complete the eCOW training each time they are reelected or reappointed.

INTRODUCTION

The City of San Diego General Plan, the framework for long-term zoning and planned development, is composed of 52 separate local community plans. Each Community Plan includes a set of distinct neighborhoods that share common interests. Those local interests are represented by 43 CPGs (some CPGs cover multiple Community Plans) that are organized according to Council Policy 600-24. The CPGs' responsibilities include preparation or periodic revision of the Community Plan and review of discretionary project proposals, i.e., those that involve some variation from the Community Plan.

A CPG has 12 to 20 members who represent their geographical community and its interests. Members of CPGs are elected from the CPG's geographical area and include property owners, residents, and people doing business in that area.

A proposed development in a planning area begins when a developer submits a discretionary project (a project that requires that a special permit or approval be granted at the discretion of a decision maker) to the City Development Services Department (DSD). The DSD refers the developer to the appropriate CPG for discussion and review. (Developers often elect to take their projects directly to the CPG for preliminary review prior to submission to DSD in order to expedite review and acceptance). The CPG then evaluates the proposal, considering any deviations from the Community Plan and the interests of the community, and makes recommendations regarding what is needed to warrant approval. The recommendations of the CPG, along with its final approval or disapproval of the proposal, usually carry significant weight in the City's subsequent approval of the project.

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