

***THE DEVELOPMENT
PERMIT AND
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/pubnotfullistsearch.html>

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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.

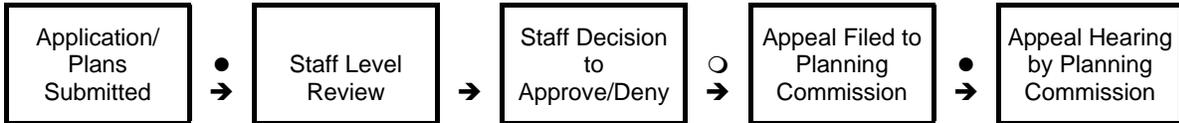


**Diagram E-1
Decision Processes and Notices (Diagram 1112-05A)**

PROCESS ONE



PROCESS TWO



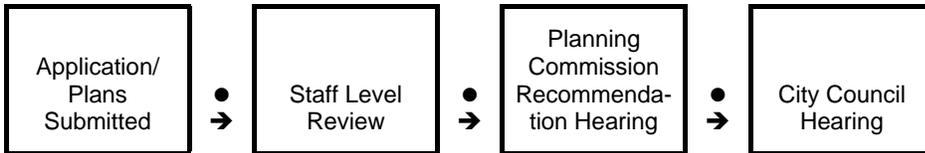
PROCESS THREE



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



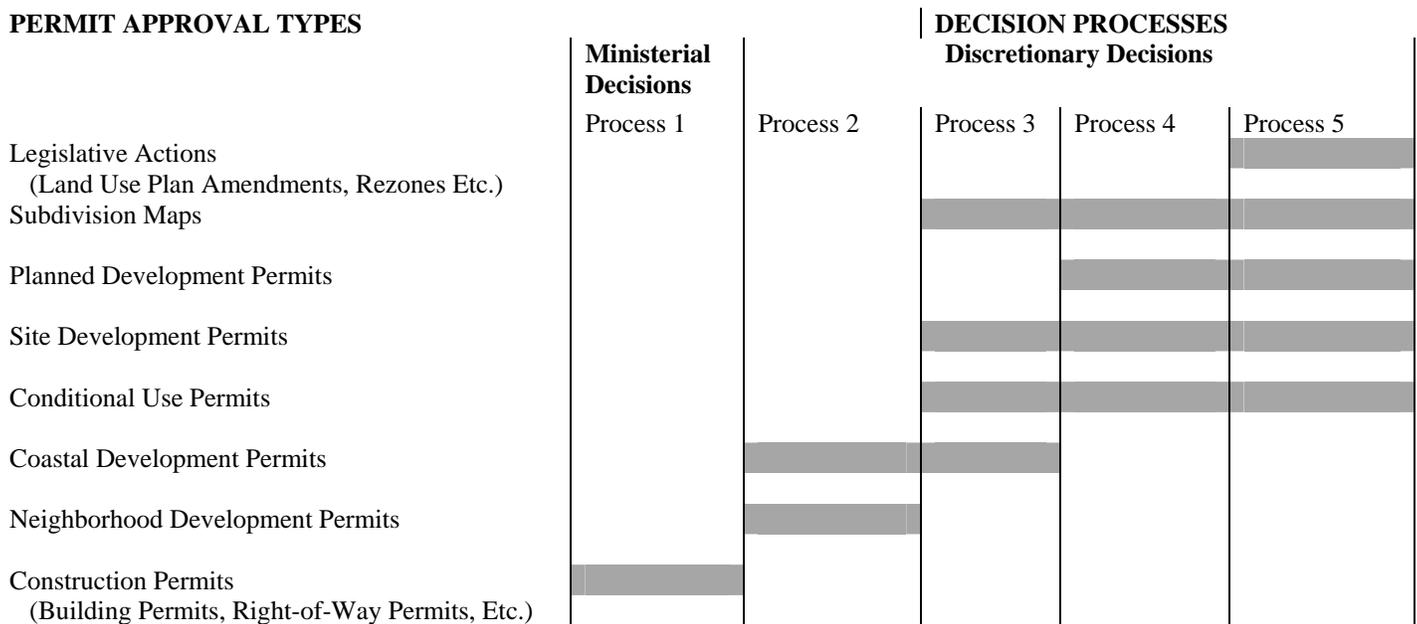
The five decision processes shown above fall into two primary categories, ministerial decisions or discretionary decisions. Projects reviewed and decided by Process 1 are ministerial decisions. These decisions are based solely on whether a project complies with regulations of the municipal code and, 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**

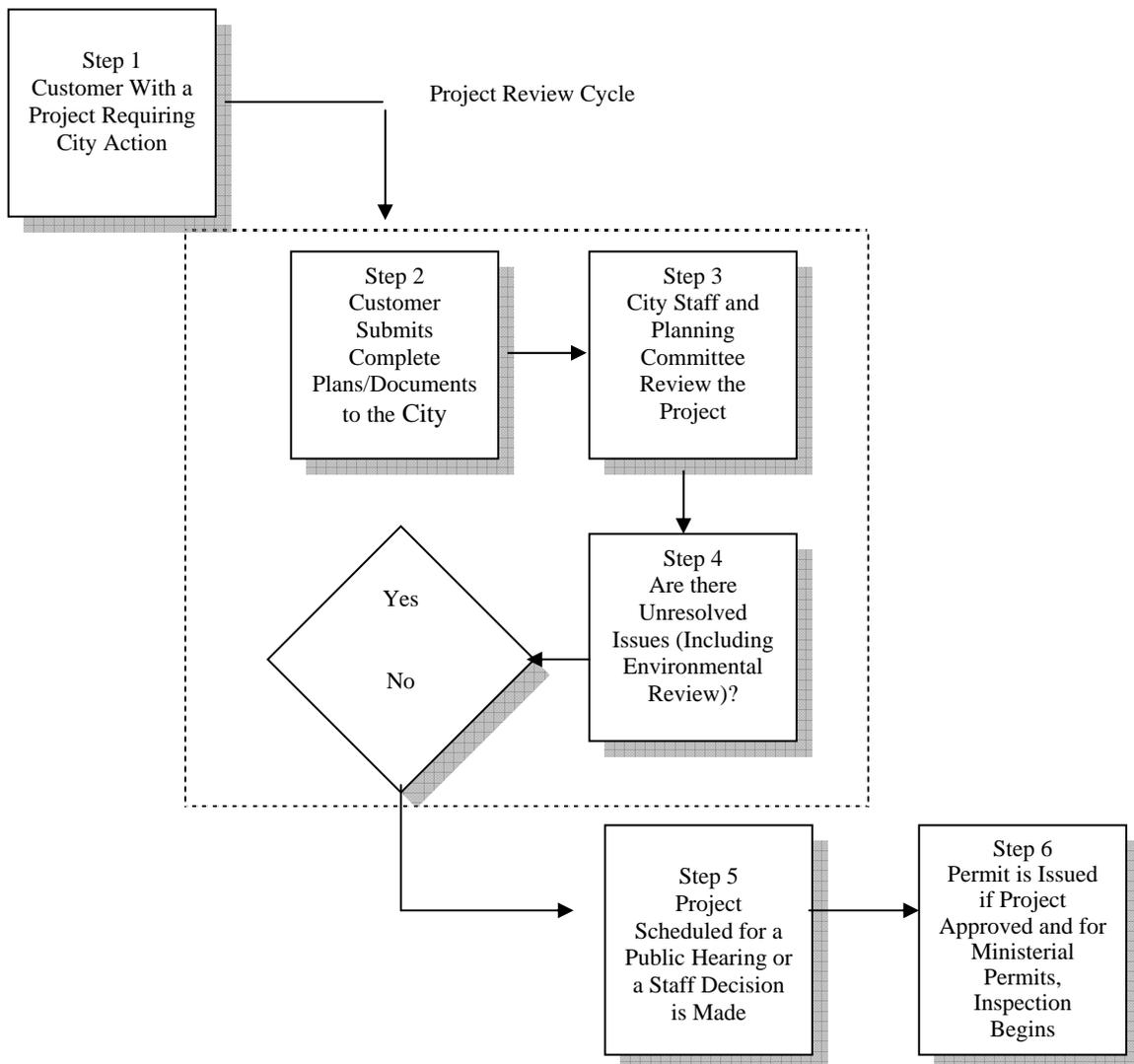


Steps in the Project Review Process

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



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 perform 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.

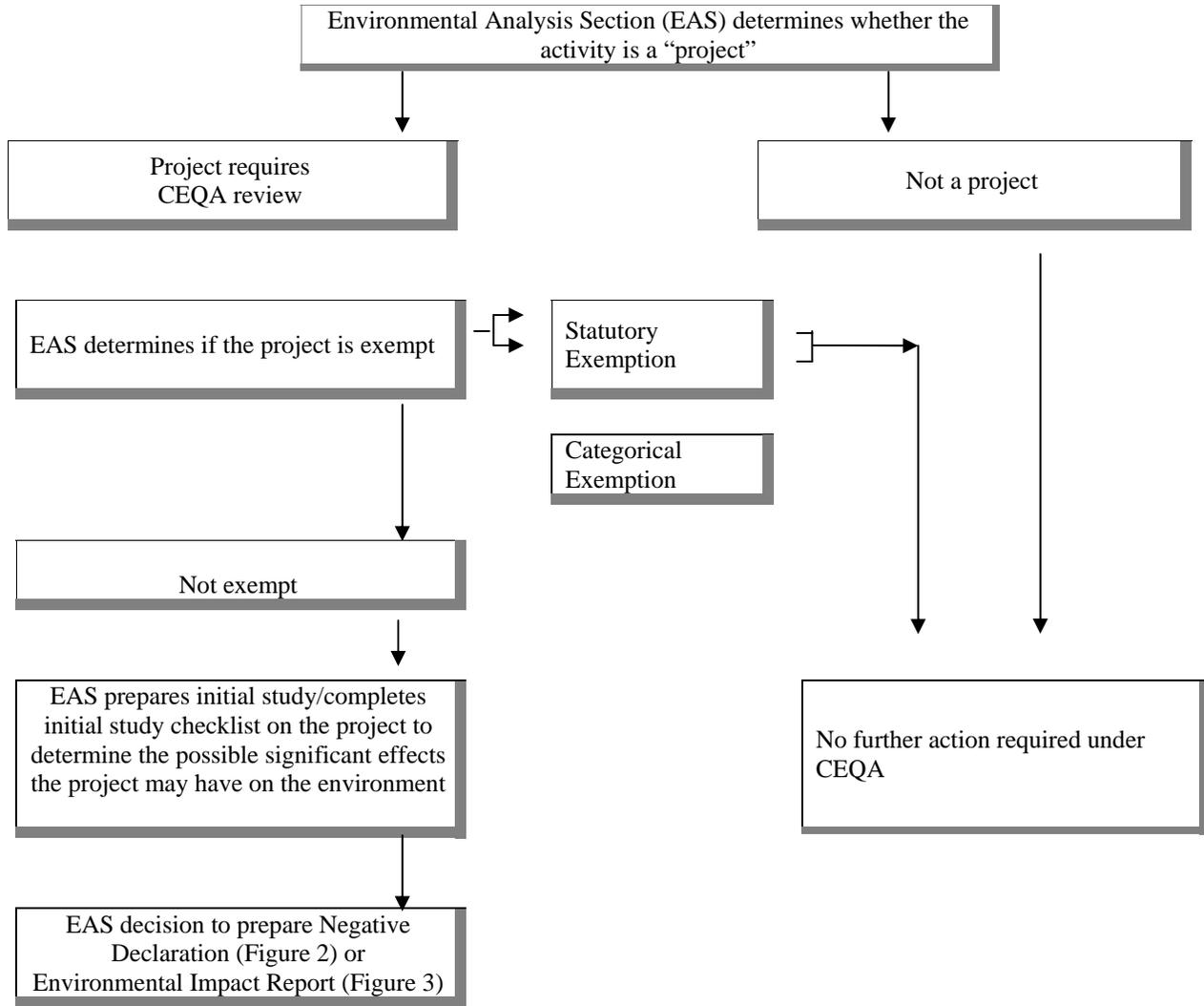
Second, the State Legislature has mandated that certain activities such as emergency projects and the issuance of ministerial permits, such as building permits, are generally exempt from environmental review.

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 EIR's 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.

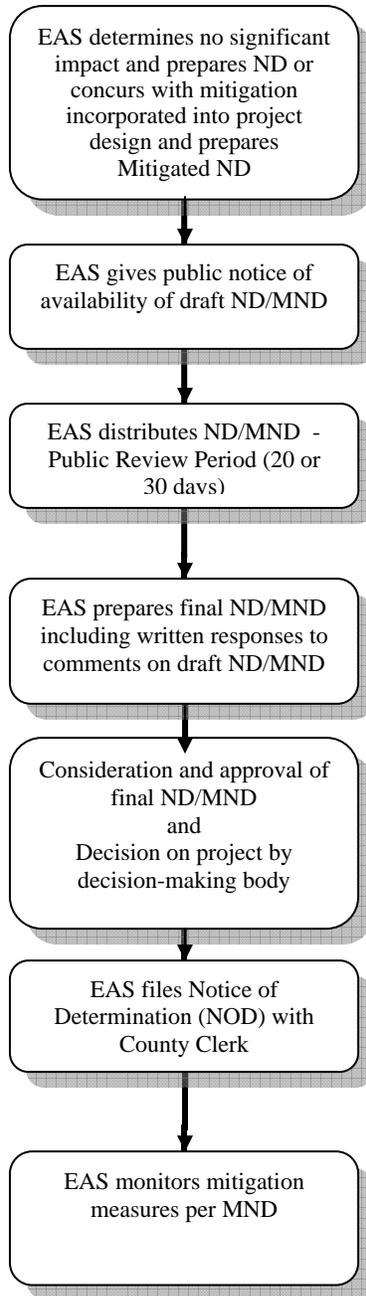
Negative Declaration/Mitigated Negative Declaration

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.

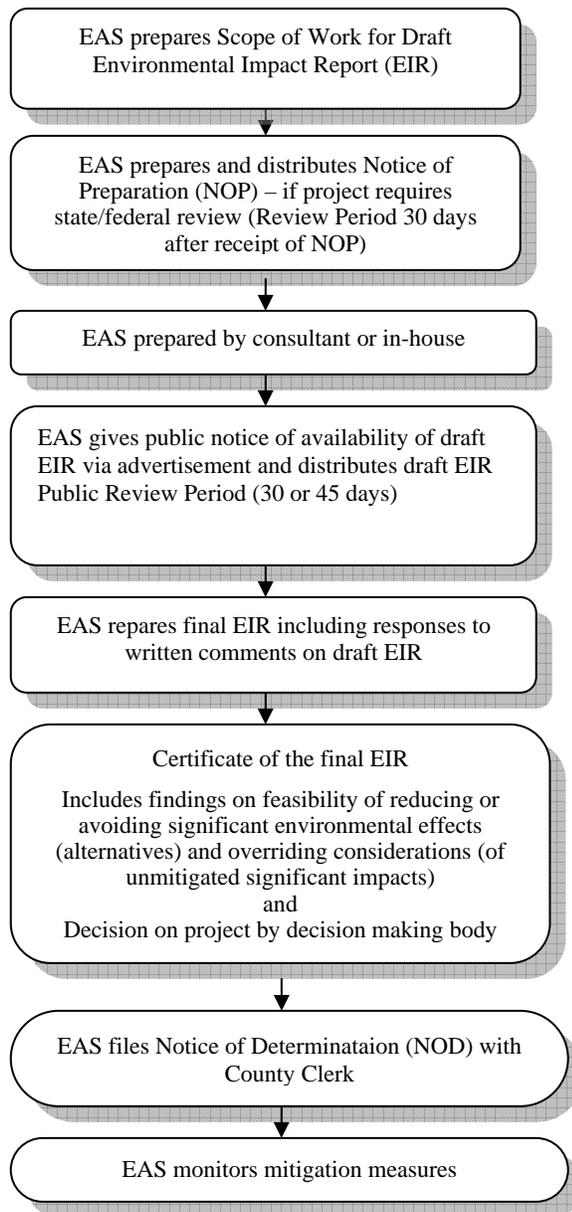
Environmental Impact Report



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 EIR’s. 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 ND's and 15 calendar days for EIR's 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 committee, and the general timing of the review process and communication. A copy of this bulletin is distributed to the planning committee 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 committee(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 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). 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 committee(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 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 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 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 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 committee(s). 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 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 committee(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 committee(s) may also provide a copy of this comment to the development project manager.

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). In the event the committee(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 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; 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 committee(s). When the committee(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 committee(s) meeting for that project.

Time Certainty on the Committee(s) Agenda

In situations where a development 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.

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 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 the committee(s), the committee(s) shall designate a representative to be the single point of contact for the development 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 development project manager and the committee(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 committee'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. Committees 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.

