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

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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-l (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-l (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-l
Decision Processes and Notices (Diagram 1112-05A)

PROCESS ONE

Application/ Plans Submitted → Staff Level Review → Staff Decision to Approve/Deny

PROCESS TWO

Application/ Plans Submitted ● → Staff Level Review → Staff Decision to Approve/Deny ❍ → Appeal Filed to Planning Commission ● → Appeal Hearing by Planning Commission

PROCESS THREE

Application/ Plans Submitted ● → Staff Level Review ● → Hearing Officer Hearing → Appeal Filed to Planning Commission ● → Appeal Hearing by Planning Commission

PROCESS FOUR

Application/ Plans Submitted ● → Staff Level Review ● → Planning Commission Hearing → Appeal Filed to City Council ● → Appeal Hearing by City Council

PROCESS FIVE

Application/ Plans Submitted ● → Staff Level Review ● → Planning Commission Recommenda-tion Hearing ● → City Council Hearing

Key

● Public Notice to Property Owners and Tenants within 300 Feet and to Community Planning Groups

● "Limited" Notice to Applicant and Anyone Requesting Notice

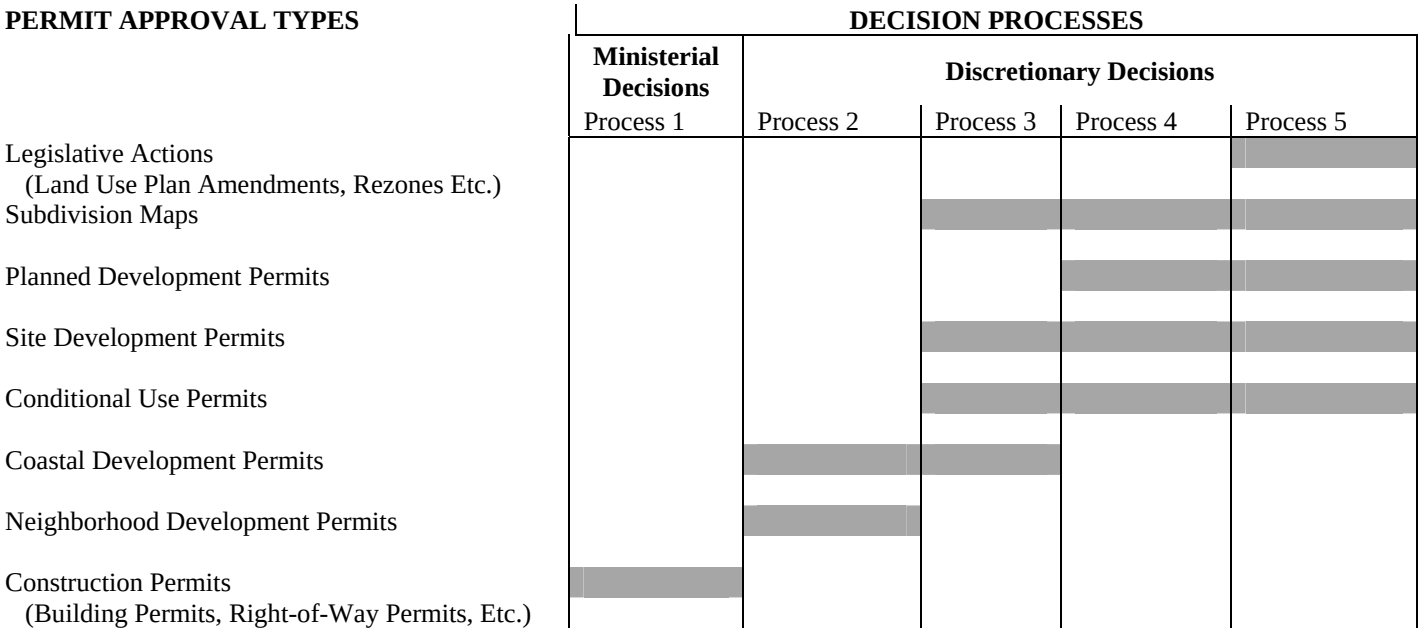
The five decision processes shown above fall into two primary categories, ministerial decisions or discretionary decisions. Projects reviewed and decided by Process 1 are ministerial decisions. These decisions are based solely on whether a project complies with regulations of the municipal code and,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

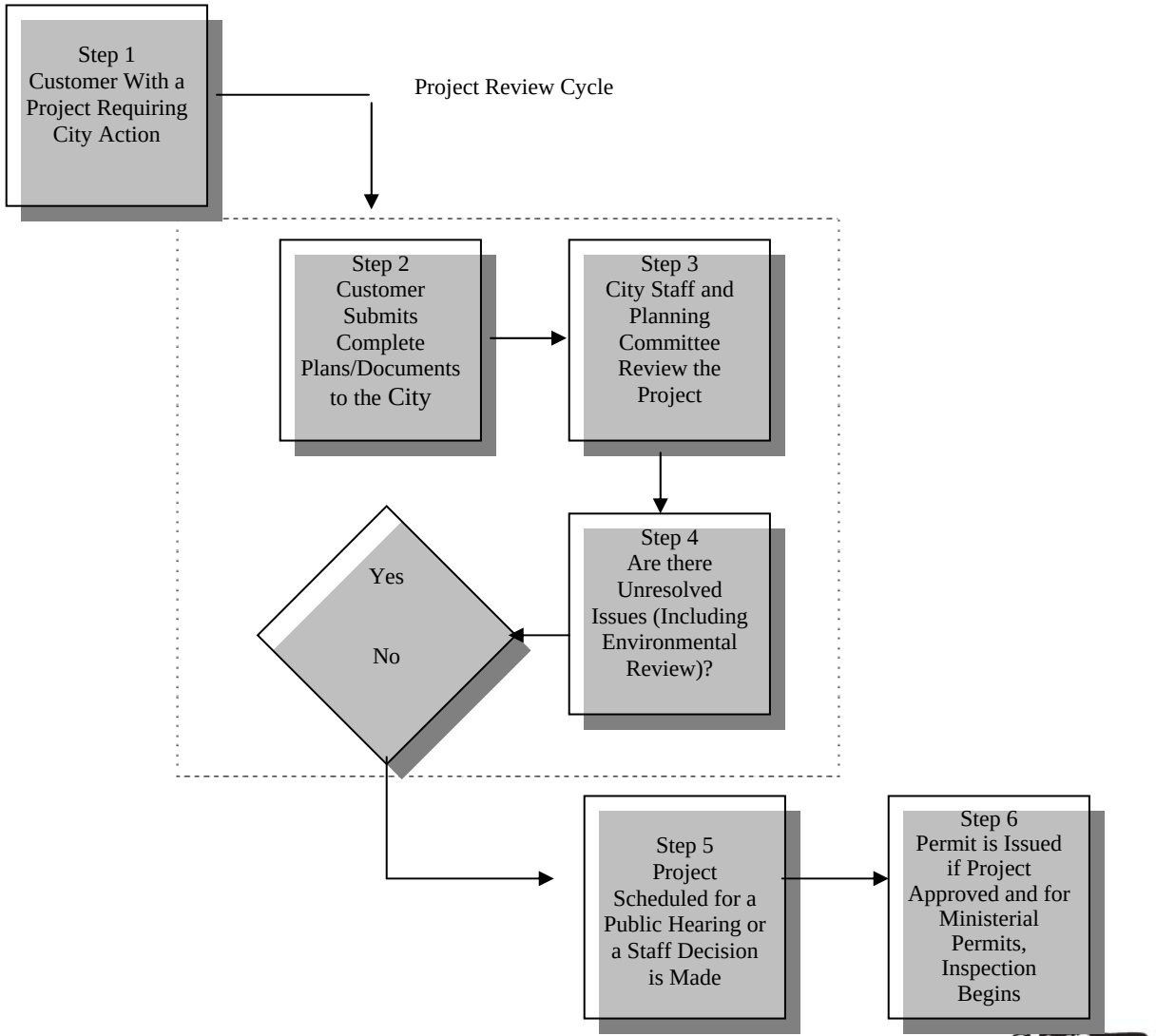


Steps in the Project Review Process

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 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.

<u>Overview of the Environmental Process</u>

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).

<u>City Responsibility</u>

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.

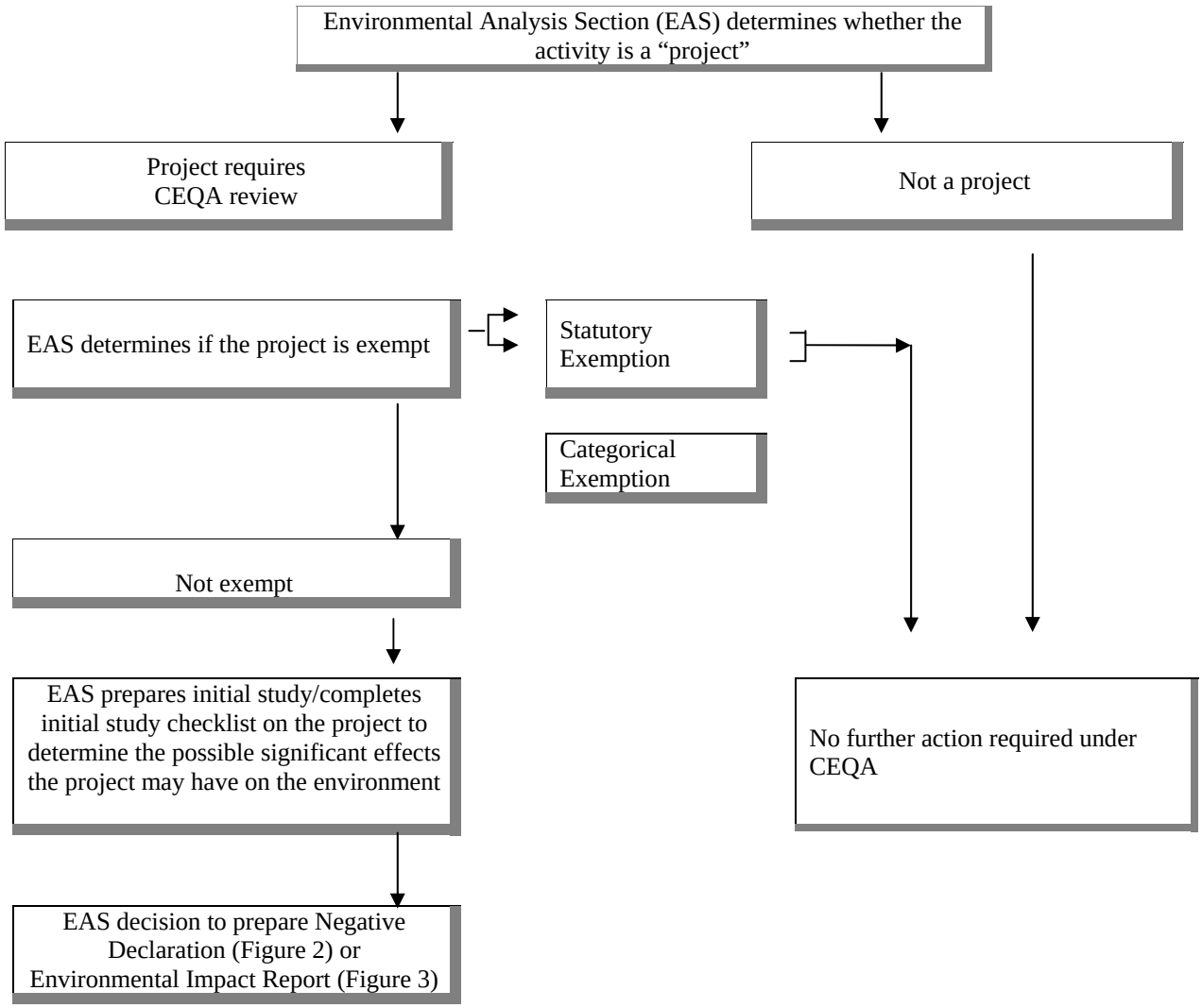
First, it must be determined if the activity is a project as defined by CEQA.

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.

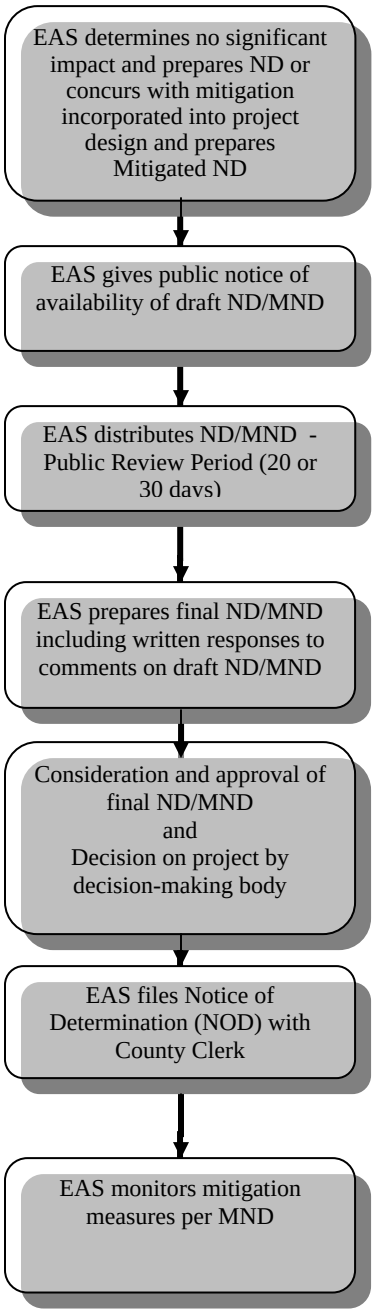
Negative Declaration/Mitigated Negative Declaration

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



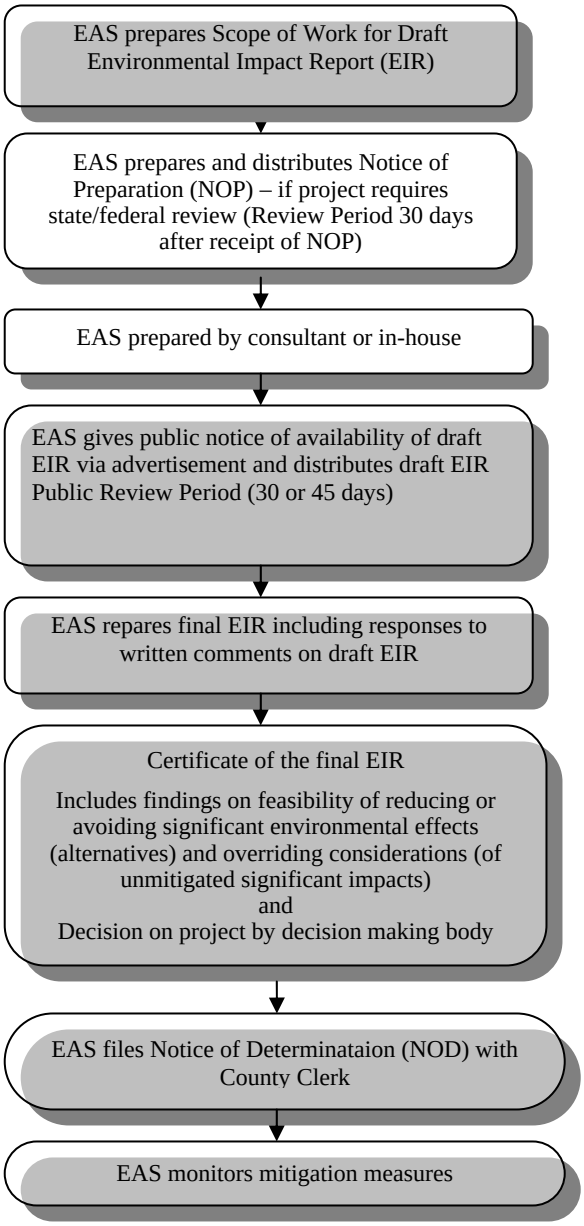
The public review period for a draft ND/MND is 20 calendar days. An additional 10 calendar days are required for public review of projects which must also be acted upon by a responsible state trustee agency or which have regional significance and are routed through the State Clearinghouse.

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.

<u>Project Types</u>

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 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 13
ZONES

Article 1	Base Zones
Article 2	Overlay 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

- 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.

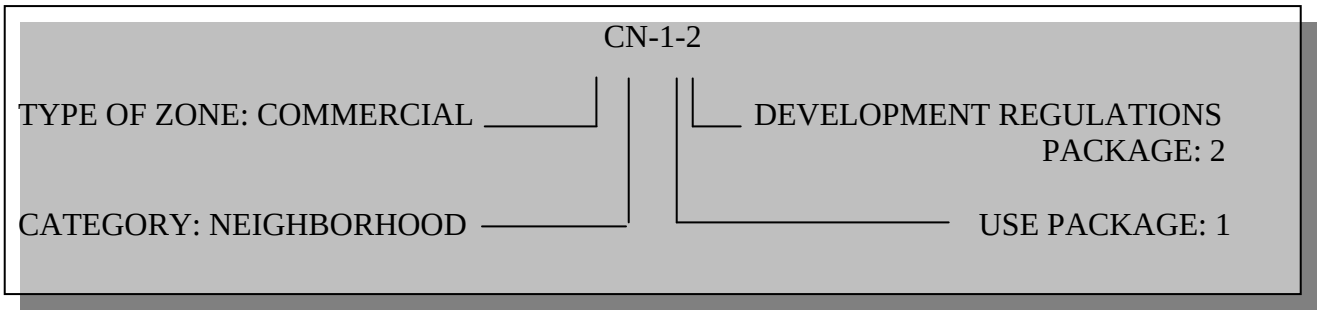
Some uses that are allowed in certain base zones may be accessory uses in other zones. The regulations for accessory uses are in Chapter 13, Article 1, in the section titled "Additional Use Regulations" for the base zone.

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									
		1st & 2nd ▸	CN(1)-			CR-		CO-		CV-		CP-
		3rd ▸	1-			1-	2-	1-		1-		1-
		4th ▸	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		-
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-l-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					
	1st & 2nd ▸	CR-		CO-		CV-	CP-
	3rd ▸	1-	2-	1-		1-	1-
	4th ▸	1		1	2	1	2	1
Lot area								
Min Lot Area (sf)		15,000		5,000	5,000	15,0000	5,000	--
Lot dimensions								
Min Lot Width (ft)		100		50	50	100	50	--
Min *street frontage* (ft)		100		50	50	100	50	--
Min Lot Depth (ft)		100		100	100	100	100	--
***Setback* requirements**								
Min Front *setback* (ft)		10		10	10	10	--	10
Max Front *setback* (ft)		--		25(2)	--	--	10(2)	--
[See Section 131.0543(a)(1)]								
Min Side *setback* (ft)		10		10	10	10	10	10
Optional Side *setback* (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 *setback* (ft)		10		10	10	--	--	--
Max Street Side *setback* (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 "Supplementalresidential 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
OS-P, OS-R	OP-1-1
OS-OSP	OP-2-1
FC, FW	OF-1-1
OS-TDR	no proposed zone
no existing zone	OC-1-1
no existing zone	OR-1-1
no existing zone	OR-1-2
A-1-5, A-1-10	AR-1-1
A-1-1	AR-1-2
A-1-20	no proposed zone
A-1-40	no proposed zone
no existing zone	AG-1-1
no existing zone	AG-1-2
Chapter 10 Zone	Chapter 13 Zone
no existing zone	RE-1-1
no existing zone	RE-1-2
no existing zone	RE-1-3
R1-40,000 in urbanized communities	RS-1-1
R1-20,000 in urbanized communities	RS-1-2
R1-15,000 in urbanized communities	RS-1-3
R1-10,000 in urbanized communities	RS-1-4
R1-8,000 in urbanized communities	RS-1-5
R1-6,000 in urbanized communities	RS-1-6
R1-5,000 in urbanized communities	RS-1-7
R1-40,000 in planned/future urbanizing areas	RS-1-8
R1-20,000 in planned/future urbanizing areas	RS-1-9
R1-15,000 planned/future urbanizing areas	RS-1-10
R1-10,000 in planned/future urbanizing areas	RS-1-11
R1-8,000 in planned/future urbanizing areas	RS-1-12
R1-6,000 in planned/future urbanizing areas	RS-1-13
R1-5,000 in planned future urbanizing areas	RS-1-14
no existing zone	RX-1-1
R1-5,000/SLO	RX-1-2
no existing zone	CC-5-1, CC-5-2 CC-5-3, CC-5-4, CC-5-5
no existing zone	CR-2-1
no existing zone	CO-1-1
SR	IP-1-1
M-IP	IP-2-1
M-IB	IL-2-1

Chapter 10 Zone	Chapter 13 Zone
no existing zone	RT-1-1
no existing zone	RT-1-2
no existing zone	RT-1-3
no existing zone	RT-1-4
R-3000	RM-1-1
R-2500	RM-1-2
R-2000	RM-1-3
R-1750	RM-2-4
R-1500	RM-2-5
R-1250	RM-2-6
R-1000	RM-3-7
R-800	RM-3-8
R-600	RM-3-9
R-400	RM-4-10
R-200	RM-4-11
RV	RM-5-12
CN	CN-1-2
CA	CC-1-3
CA-RR	CC-2-3
CC	CC-3-5
CO	CO-1-2
CR	CV-1-1
CV	CV-1-2
C,C/PCOZ	CC-4-5
C-1	CC-4-2
C-1/PCOZ	CC-4-4
CBD	CR-1-1
CP	CP-1-1
no existing zone	CN-1-1, CN-1-3
no existing zone	CC-1-1,CC-1-2
no existing zone	CC-2-1, CC-2-2
no existing zone	CC-3-5
no existing zone	CC-4-1, CC-4-3, CC-4-5
M-SI	IS-1-1
M-1, M1-A	IL-3-1
M-2, M-2A, M-LI	IH-2-1
No existing zone	IL-1-1
No existing zone	IH-1-1

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.

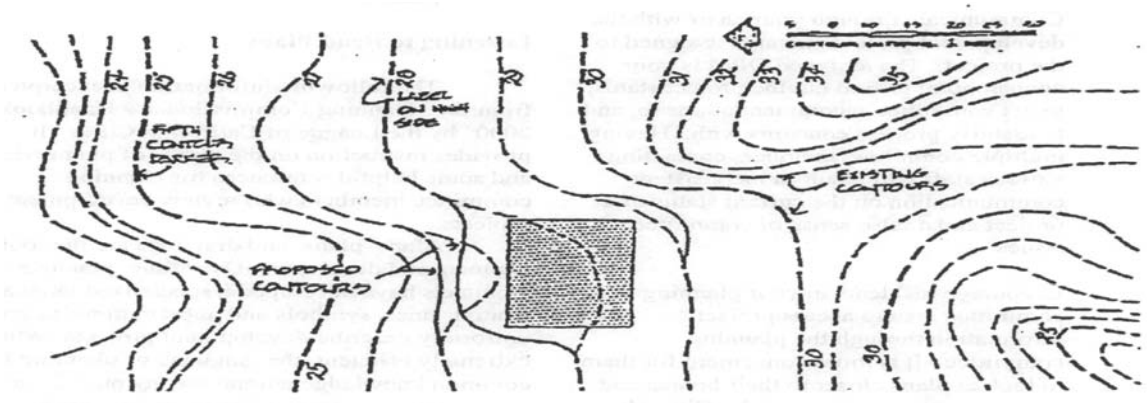
Contour lines are used to study proposed changes in land form, and eventually to guide and direct the work of earthmoving contractors in executing a grading project. Contours show land forms, i.e., a hill, a valley, ridge, etc. They show the relationship of land forms - this hill to that valley, to this 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 l/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.

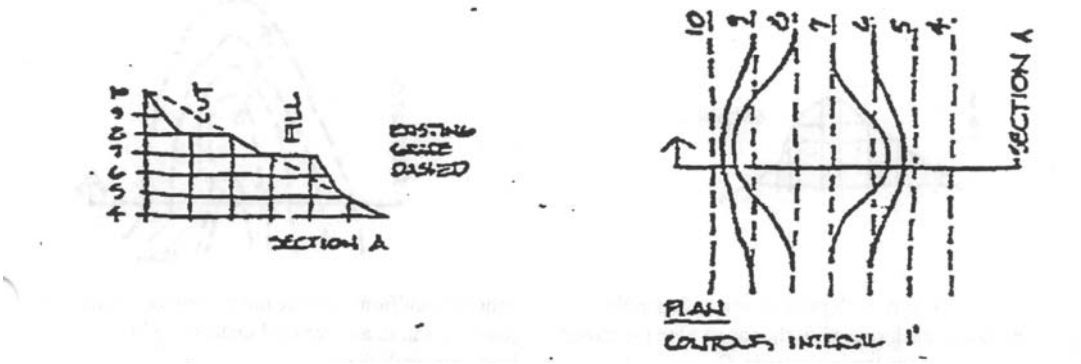
Contour lines are labeled with the number on the high side of the contour. Contour lines correspond to a selected interval which may be 1', 2', 10', etc.

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.



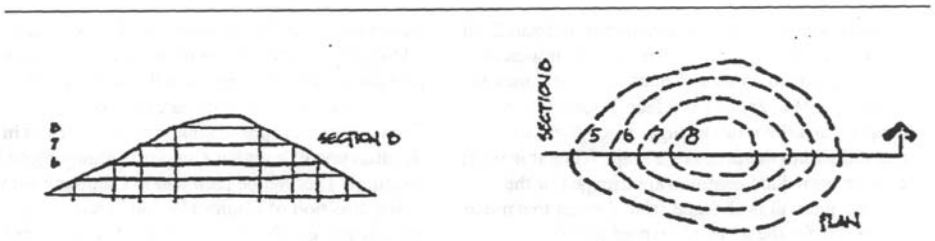
Conversely, a proposed contour which moves in the direction of a higher contour is removing earth (cutting). This can be seen where Contour 8 moves in the direction of Contour 9 and is removing earth (cutting). The amount of earth to be added or removed can be determined by comparing the proposed contour 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.

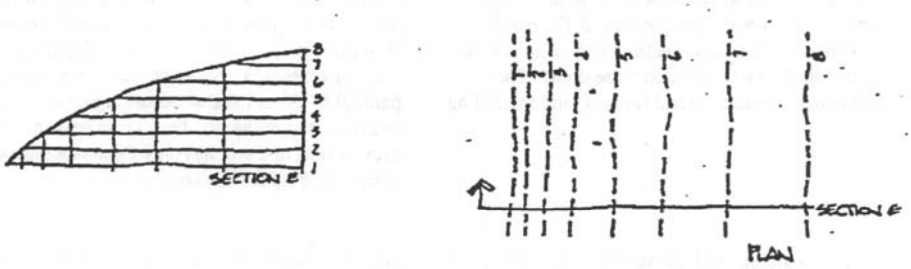
A summit is indicated by concentric closed contours, and adequate contour labeling to distinguish it from a depression.

Depressions are often labeled with hachures and both forms should include spot elevations at the highest or lowest point.

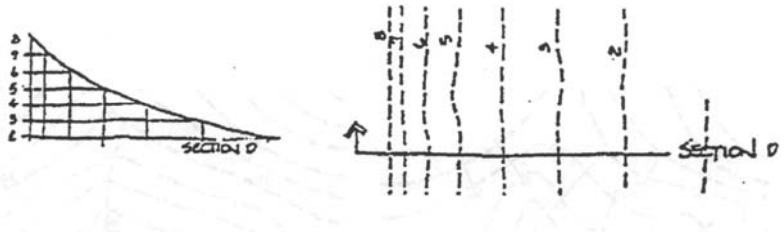


A ridge is shown similar to a valley, but with the contours pointing downhill. Note carefully the contour labeling, for this is the easiest way to determine if it is a ridge or valley. Ridges and valleys often are very wide, and difficult to distinguish on a large scale map.

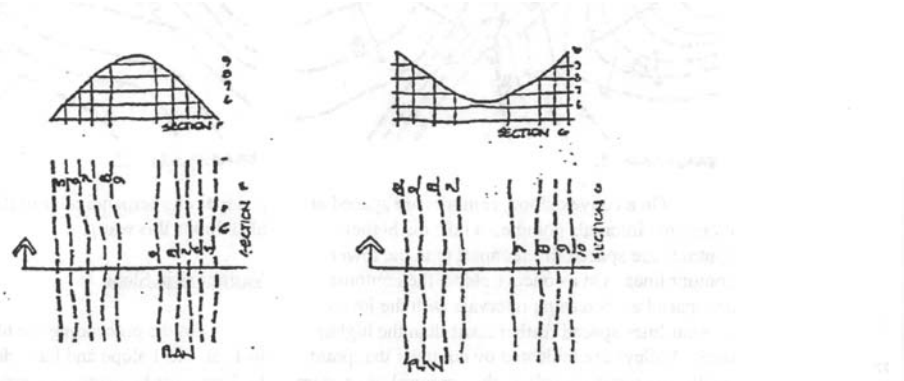
A convex slope is shown with parallel contours, each spaced further apart with the closer contours at the lower contours. Convex and concave landforms are the most common forms found in nature and are well understood by landscape architects.



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).

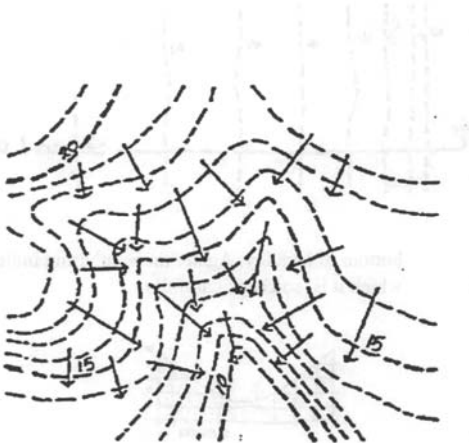


DIAGRAM 1

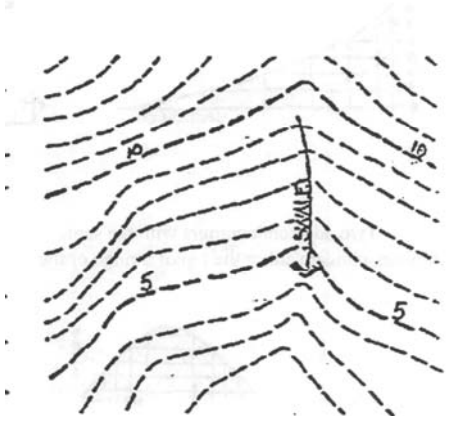
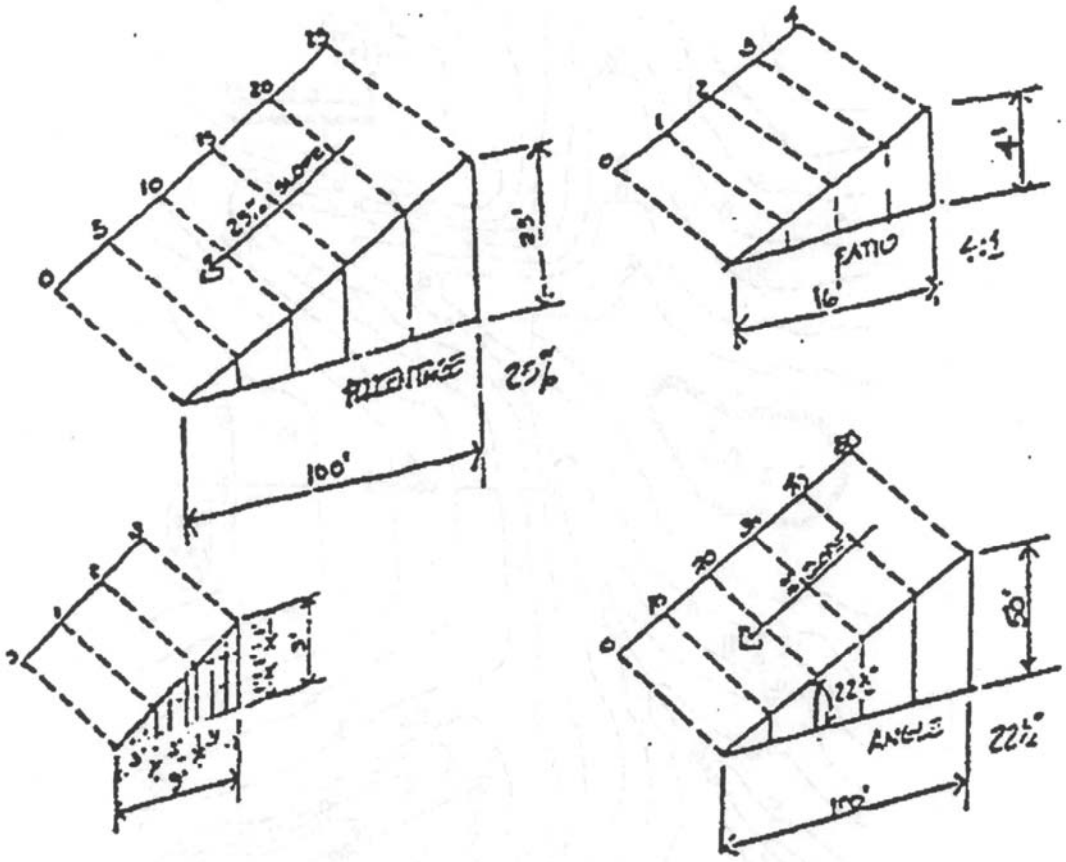


DIAGRAM 2

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

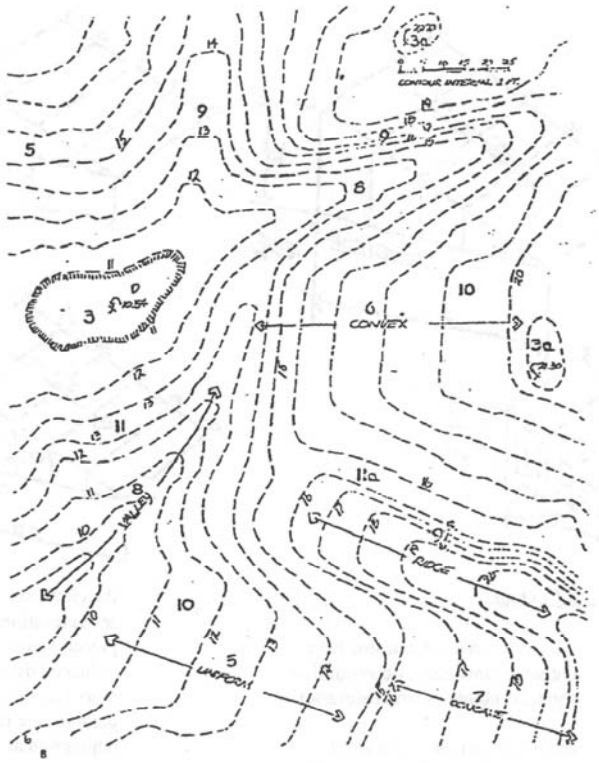
In the proceeding we have talked about 2 to 1, or 3 to 1 slope and have described the manner to depict this by using contours. These slopes are necessary as it is not possible to pile earth, sand, soil, clay, etc., vertically, so we must slope these materials and the slope becomes either a 2 to 1, 3 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).

4. Contour lines never cross other contours except where there is an overhanging cliff, natural bridge, or pierced or arched rock.
5. Contours which are equally spaced indicate a uniform sloping surface (See No. 5).



Slope proportion *can* be expressed as *a* ratio, in percentage, or as an angle. When expressed in percentages, a 3:1 slope becomes 33 1/3 percent, a 4:1 becomes 25 percent. etc. Percentage slope is easiest to understand if you think of the slope being 100 feet long (measure horizontally). Then the vertical distance becomes the percent. To determine the percentage of any slope, divide the vertical distance by the horizontal distance (a 3:1 slope would be 1/3 or 33 1/3%).

Angles are seldom used to describe slopes as mathematical conversion of ratios to angles is difficult. Angles can be measured with a protractor, or converted from direct reading tables. To set the bounds, a 90 degree angle is straight up (0:1 ratio), a 45 degree angle is a 1:1 ratio, a 22 ½ degree angle is 2:1 ratio, etc. It may be worth noting that the ratio is expressed by some with the rise first. Therefore a 3:1 slope would be designated 1:3. If the ratio seems excessive, check to see if it is backwards.

<u>Learning To Review Plans</u>

Maps, plans and drawings are the tools of planners, architects and developers. Overtime, specialized language and graphics have been developed to express and illustrate development projects. While uniform and efficient, these tools have become fairly complex and require a commissioner to spend time acquiring a general understanding of them. The information in this section provides the basic knowledge needed by new commissioners.

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.

<u>Site Plan, Landscaping, and Architecture Review Checklist</u>

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 114 or 118 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.

<u>Beyond the Basics - Detailed Design Considerations</u>

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 or 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

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5210

Community Planning Committee Distribution Form Part 1

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

Project Issues *(To be completed by Community Planning Committee for initial review):*

Attach Additional Pages If Necessary.

Please Return Within 30 Days of Distribution of Project Plans To:

Project Management Division
City Of San Diego
Development Services Department
1222 First Avenue, MS 302
San Diego, CA 92101

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.

THE CITY OF SAN DIEGO

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 *(To be completed by Community Planning Committee for initial review):*

☐ Vote to Approve	Members Yes	Members No	Members Abstain
☐ Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
☐ Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
☐ Vote to Deny	Members Yes	Members No	Members Abstain
☐ No Action (Please Specify; E.G. Need Further Information, Split Vote, Lack Of Quorum)		☐ Continued	

Conditions

Name	Title
Signature	Date

Attach Additional Pages If Necessary.

Please Return No Later Than The End Of The Public Review Period For The Environmental Document To:

Project Management Division
City Of San Diego
Development Services Department
1222 First Avenue, MS 302
San Diego, CA 92101