



PLAN

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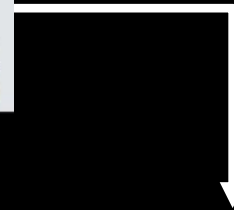
Processes & Procedures

Zoning Advisory Committee

December 9, 2015

Code Studio | White & Smith, LLC

	Review & Approval Authority									
	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor
ENTITLEMENT REVIEW										



Legislative Action
General Plan Amendment
Text Amendment / Specific Plan
Zoning Map Amendment (Rezoning)
Quasi-Judicial Action
Conditional Use Permit, Minor
Conditional use permit, Major
Site Plan Review
Director's Determination
Clearance
Administrative Action
LADBS Permit
Relief
Alternative Compliance
Adjustment
Variance / Exception
Entitlement modification
Appeals from LADBS
Enforcement
Administrative Enforcement
Abatement
Subdivision violation

Process Categories

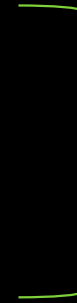
Reviewers / Decision Makers

- Recommendation
- Certification
- Decision
- Appeal

- Charter / state law or City option
- Original jurisdiction or referral
- Conditional jurisdiction (major v. minor)

Process

- Hearing
- Decision / Clearance



Best Practice	Existing System	Recommended System
Organization	Scattered throughout Zoning and City Code	Organized as single chapter of the Zoning Code
Integration	Organized in silos Relationship between workflows is a mystery	Sequence and steps explained
Common workflows	Workflow is different for each process	Workflow is the same for each process
Common elements	Common elements (such as notice) repeated for each process	Common elements (such as notice) consolidated in one section or article
Relief	Options for relief are hard to find	Options for relief clearly explained
Drafting	Dense and legalistic	Clear and concise with flowcharts
Authority	Hard to find	Integrated with processes

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ENTITLEMENT REVIEW										
Legislative Action										
General Plan Amendment		R				R-H		R-H	D-H	SV
Text Amendment / Specific Plan		R				R-H		R-H(1)	D-H(1)	SV
Zoning Map Amendment (Rezoning)		R				R-H	R	R-H(1)	D-H(1)	SV

- Land use ordinance change / zoning amendment
- Specific Plan amendment
- Establishment of CDO/Guidelines-Standards
- Preservation Plan Adoption / Modification

- ✓ Changes to the overall rules of development
- ✓ Require action by the Area (APC) or City Planning Commission (CPC), City Council, and Mayor
- ✓ Requires a public hearing
- ✓ Do **not** require “procedural due process” protections
- ✓ First step in the overall development approval process

- Zone change
- Height district change
- Vesting zone change
- Building line changes
- Supplemental use districts
- HPOZ districts from 12.32

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ENTITLEMENT REVIEW										
Quasi-Judicial Action										
Conditional Use Permit, Minor			D-H				A-M			
Conditional use permit, Major						R-H		D-H	A-H	
Site Plan Review		D					A-H			
Director's Determination		D					A-H			

- Conditional use permit
- Conditional Use, Approval of Plans
- Conditional use-reduction of site
- Vesting CUP
- ZA Quasi-Judicial Approvals
- APC CUP Approvals
- O District ZA Determination

- Conditional use permit
- Conditional Use, Approval of Plans
- Conditional use-reduction of site
- Vesting CUP
- CPC Quasi-Judicial Approvals
- Off-menu density bonus
- Public Land Use Determination
- G district
- TFAR (> 50k sf)

- Director's Decision, Public/Private Use in PF Zone

- Site Plan
- Eldercare Facility Unified Permit

- ✓ discretionary processes that may involve a public hearing
- ✓ due process elements apply
- ✓ occur after legislative actions and precede clearance
- ✓ multiple approvals ordinance allows concurrent processing with legislative and quasi-judicial applications

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ENTITLEMENT REVIEW										
Clearance										
Administrative Action	D						A-H			
LADBS Permit	C		A-H				A-H			

- Specific plan project permit compliance
- Site specific zoning interpretation
- Supplemental Use District Administrative Clearance
- "S" District Development Plans
- Pedestrian Oriented District Director's Determination
- CPIO Administrative Clearance
- RIO administrative clearance
- CDO Plan Approval
- TFAR < 50,000 sf
- Design Review
- Conforming Work Contributing / Non-Contributing Elements
- Density Bonus (On Menu)
- Change of Use Permit
- Building Permit
- Certificate of occupancy
- Density Bonus without Incentives

- ✓ processed by staff, usually without a public hearing (unless the application is appealed)
- ✓ subject only to Zoning Code standards and any conditions of prior approval

	Review & Approval Authority									
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ENTITLEMENT REVIEW										
Relief										
Alternative Compliance		D					A-H			
Adjustment		D					A-H			
Variance / Exception			D-H				A-H		A-H	
Entitlement modification			D-H				A-H			
Appeals from LADBS			D-H				A-H			

- Director's Decision (Open Space)
- Downtown Design Guide adjustment
- Zone boundary / height district adjustments
- CPIO Adjustment
- RIO adjustment

- Specific Plan Project Permit Adjustments
- Parking waivers
- Adjustments / Slight Modifications
- Public Benefits alternative compliance
- Yard-Parking Facility Modifications

- Variances
- Specific Plan Exceptions
- CPIO Exceptions
- RIO exceptions

- Modification of a Project Permit Compliance
- T, Q, D condition change
- Plan approval, variance
- Plan approvals, adjustment

- ✓ relief from one or more standards in the Zoning Code, or modify a prior condition of approval
- ✓ Traditional relief mechanisms involve hardship variances or appeals
- ✓ Revised processes to include alternative compliance for better ideas or minor adjustments

	Review & Approval Authority									
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ENTITLEMENT REVIEW										
Enforcement										
Administrative Enforcement			D			R-H	A-H			
Abatement			D-H					A-H		
Subdivision violation		D					A-H			

- DBS "abatement procedures"
- Administrative Nuisance Abatement
- Sales Contrary to Parcel Map Regulations Voidable

- ✓ enforce compliance with zoning standards, a condition of zoning approval, or subdivision regulations.
- ✓ Planning Department memorandum of understanding with the Department of Building Services (DBS)
- ✓ DBS currently enforces Zoning Code - whether and how this is codified in the revised zoning code is up for discussion

		Review & Approval Authority											
		Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board / CHC
ENTITLEMENT REVIEW													
Miscellaneous/General Administration													
Interpretation				D					A				

- Specific plan interpretations
- Zoning Interpretations

- ✓ Interpretations of applicability or meaning of Zoning Code
- ✓ Applicants could also request amendment to the zoning code
- ✓ After interpretation is rendered, City can adopt a clarifying amendment

	Review & Approval Authority								
	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council
ENTITLEMENT REVIEW									
Subdivision Review									
Parcel Map Exemption (Lot Line Adjustment) or Waiver		D					A-H		
Tentative Map / Vesting Tentative Map / Air Space Lots / Reversion		D-H		R			A-H		
Final Map / Dedication					D				D
Preliminary Parcel Map / Air Space Lots / Reversion		D-H		R			A-H		
Final Parcel Map					D				
Private Street Map		D-H		R			A-H		
Subdivision Standards Modification		D		R			A-H		
Parcel Map-Slight Modification		D					A-H		
Final Recorded Map Modification (tract & parcel)		D-H					A-H		A-H
Certificate of Compliance		D					A-H		
Subdivision Appeal							D-H		

- Tentative Map
- Reversion
- Parcel/Tract Map-Air Space Lots

- Final Map
- Dedication

- Preliminary Parcel Map
- Reversion
- Parcel/Tract Map-Air Space Lots

✓ Cover a variety of situations such as dividing raw land into individual lots, subdividing air rights for condominium development, vacating existing “paper” streets, and small lot subdivisions

✓ California Subdivision Map Act

	Review & Approval Authority											
	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board / CHC
ENTITLEMENT REVIEW												
Historic Preservation or Design Review												
Certificate of Appropriateness (construction, addition, alteration, reconstruction)		D					A-H					R-H
Certificate of Appropriateness (demolition, removal, relocation)						R-H?	D		A-H			R-H
Certificate of Compatibility		D					A-H					R-H

- ✓ specialized processes for reuse or demolition of existing historic structures
- ✓ historic district designation folded into legislative category

ENTITLEMENT REVIEW

Review & Approval Authority

Coastal Development
Coastal Development Permit

Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board / CHC
	D				R-H	A-H					

- ✓ State designated coastal zone
- ✓ Parallel review with California Coastal Commission
- ✓ City may take over the permitting function

Internal Workflows

Element	What does this mean?
Applicability	The type of development or situation that is subject to the process.
Initiation	This is how the applicant begins the process, including the department or official that an applicant files the application with.
Completeness	This is how the City determines that the application has sufficient information to be processed.
Decision	This states who approves that application, how notice is provided, and the type of proceeding that leads to the decision.
Approval Criteria	These are any particular standards that determine whether the application is approved. All applications are subject to this Title and zoning district regulations.
Subsequent Applications	If an application is denied, some processes have a waiting period before that type of application can be re-filed for the property.
Appeals	This provides a way to review an application that is denied, or that have conditions that the applicant disagrees with.
Scope of Approval	This states the activities that the application authorizes. For example, some approvals send the applicant to the next step in the overall process, while others authorize construction or use.
Recordkeeping	This states how the formal decision of approval is maintained.

	New	Existing	Cite	
Legislative Action				
General Plan Amendment		→	11.5.6	1
Text Amendment / Specific Plan	Land use ordinance change / zoning amendment		12.32.E	2
	Specific Plan amendment		11.5.7.G	3
	Establishment of CDO/Guidelines-Standards		13.08.D	4
	Preservation Plan Adoption / Modification		12.20.3.E	5
Zoning Map Amendment (Rezoning)	Zone change		12.32.A,D-F	6
	Height district change		12.32.F	7
	Vesting zone change		12.32.Q	8
	Building line changes		12.32.R	9
	Supplemental use districts		12.32.S	10
	HPOZ districts from 12.32		12.20.3 F	11
Quasi-Judicial Action				
Conditional Use Permit, Minor	Conditional use permit		12.24	12
	Conditional Use, Approval of Plans		12.24 L-M	13
	Conditional use-reduction of site		12.24.N	14
	Vesting CUP		12.24.T	
	ZA Quasi-Judicial Approvals		12.24.W, X	15
	APC CUP Approvals		12.24.V	16
	O District ZA Determination		13.01	17
Conditional Use Permit, Major	Conditional use permit		12.24	
	Conditional Use, Approval of Plans		12.24 L-M	
	Conditional use-reduction of site		12.24.N	18
	Vesting CUP		12.24.T	
	CPC Quasi-Judicial Approvals		12.24.U generally	19
	Off-menu density bonus		12.22.A.25.(g)(3)	20
	Public Land Use Determination		12.24.1	21
	G district		13.03	22
	TFAR (> 50k sf)		14.5.6	23
	Director's Determination	Director's Decision, Public/Private Use in PF Zone		12.04.09.B.9
Site Plan	Site Plan		16.05	25
	Eldercare Facility Unified Permit		14.3.1	26
Clearance				
Administrative Action	Specific plan project permit compliance		11.5.7.C.4-6	27

↓ 63%

- Discussion?
- Questions?
- Comments?