



PLAN

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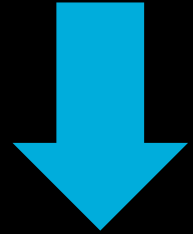
Processes & Procedures

Zoning Advisory Committee
June 22, 2016

White & Smith, LLC

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

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



Process Category

Legislative
Quasi-Judicial
Clearance
Relief
Enforcement
Miscellaneous/General Administration
Subdivision Review
Historic Preservation or Design Review
Coastal Development

Decision Makers

Staff
Director
Zoning Administrator
Subdivision Committee
City Engineer
Hearing Officer
Area Planning Commission
City Planning Commission
City Council
Mayor
Design Review Board
HPOZ Board
Cultural Heritage Commission

Decision Type

Recommendation
Certification
Decision
Appeal



Hearing
Decision / Clearance

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.

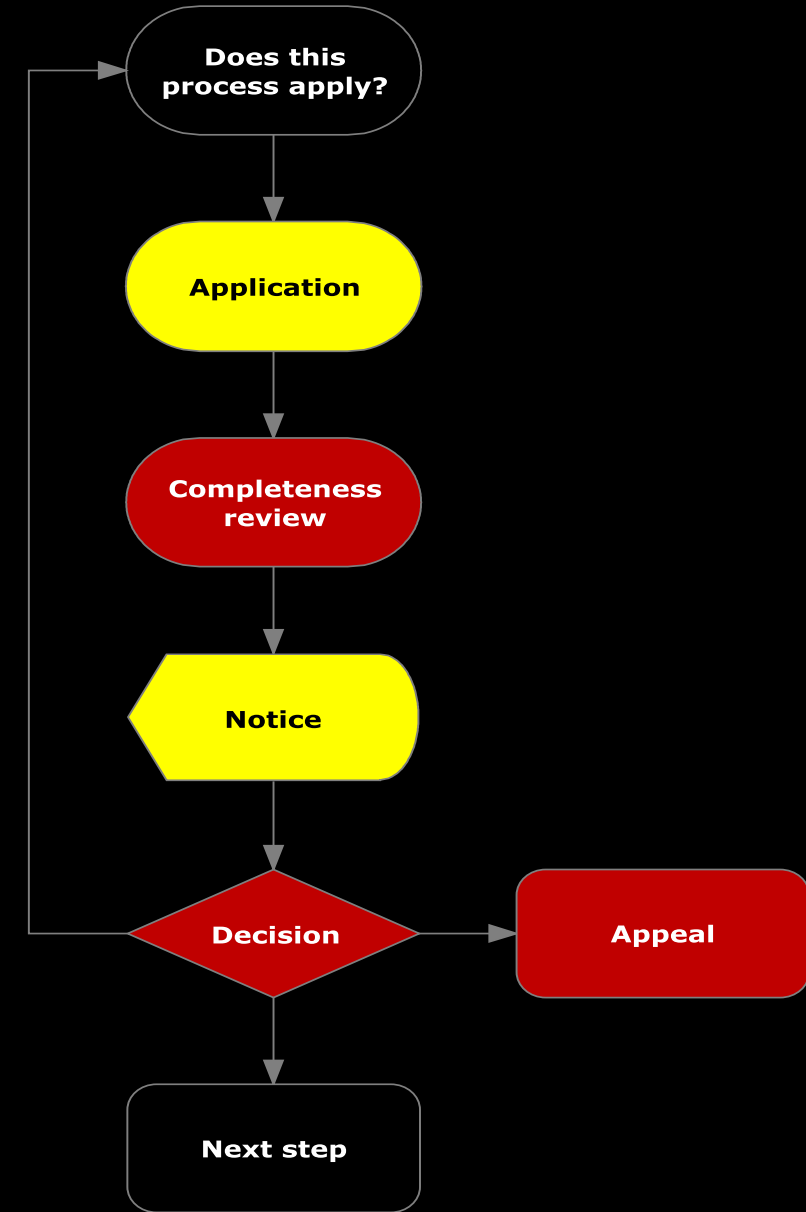


Table 2 Process Summary

	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		R				[R]		[R]	[D]	SV
Specific Plan Amendment		R						R ⁽³⁾	D ⁽³⁾	SV
Code Amendment		R						R ⁽³⁾	D ⁽³⁾	SV
Zone Change		R				[R]	R	[R] ⁽³⁾	[D] ⁽³⁾	SV

- ✓ 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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council
ENTITLEMENT REVIEW									
Quasi-Judicial Action									
Conditional Use Permit (Type 1)			[D]				/A/		
Conditional use permit (Type 2)						[R]		[D]	[A]
Site Plan Review		D					[A]		
Director's Determination		D					[A]		

- 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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission
ENTITLEMENT REVIEW							
Clearance							
Administrative Action	D						[A]
LADBS Permit	C		[A]				[A]

- ✓ 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

- Specific plan project permit compliance (no DRB recommendation)
- 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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council
ENTITLEMENT REVIEW									
Relief									
Alternative Compliance		D					[A]		
Adjustment		D					[A]		
Variance / Exception			[D]				[A]		[A]
Entitlement modification			[D]				[A]		
Appeals from LADBS			[D]				[A]		

- 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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council
ENTITLEMENT REVIEW									
Enforcement									
Administrative Enforcement			D			[R]	[A]		
Abatement			[D]						[A]
Subdivision violation		D					[A]		

- 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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor
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

Table 2 Process Summary

	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]		
Tentative Tract Map / Vesting Tentative Map / Air Space Lots / Reversion		[D]		R			[A]		
Final Map / Dedication					D				D
Preliminary Parcel Map / Air Space Lots / Reversion		[D]		R			[A]		
Final Parcel Map					D				
Private Street Map		[D]		R			[A]		
Subdivision Standards Modification		D		R			[A]		
Parcel Map-Slight Modification		D					[A]		
Final Recorded Map Modification (tract & parcel)		[D]					[A]		[A]
Certificate of Compliance		D					[A]		
Subdivision Appeal							[D]		

- 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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
ENTITLEMENT REVIEW													
Historic Preservation or Design Review													
Community Design Overlay/Preservation Plan adoption or amendment		R				[R]		[D]					[R]
Certificate of Appropriateness (construction, addition, alteration, reconstruction)		D					[A]					[R]	
Certificate of Appropriateness (demolition, removal, relocation)							D		[A]			[R]	
Certificate of Compatibility		D					[A]					[R]	
Conforming Work on Contributing Elements													

- Preservation Plan Adoption / Modification
- Establishment of CDO/Guidelines-Standards

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

Table 2 Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission
ENTITLEMENT REVIEW							
Coastal Development							
Coastal Development Permit		D				[R]	[A]

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

	Existing	Cite		
	New			
Legislative Action				
1	General Plan Amendment →	11.5.6	1	
2	Code Amendment	Land use ordinance change / zoning amendment	12.32.E	
3	Specific Plan Amendment	Specific Plan amendment	11.5.7.G	
4	Zoning Map Amendment (Rezoning)	Zone change	12.32.A,D-F	
		Height district change	12.32.F	
		Vesting zone change	12.32.Q	
		Building line changes	12.32.R	
		Supplemental use districts	12.32.S	
		HPOZ districts from 12.32	12.20.3 F	
Quasi-Judicial Action				
5	Conditional Use Permit, Minor	Conditional use permit	12.24	
		Conditional Use, Approval of Plans	12.24 L-M	
		Conditional use-reduction of site	12.24.N	
		Vesting CUP	12.24.T	
		ZA Quasi-judicial Approvals	12.24.W, X	
		APC CUP Approvals	12.24.V	
6	Conditional Use Permit, Major	O District ZA Determination	13.01	
		Conditional use permit	12.24	
		Conditional Use, Approval of Plans	12.24 L-M	
		Conditional use-reduction of site	12.24.N	
		Vesting CUP	12.24.T	
		CPC Quasi-judicial Approvals	12.24.U generally	
		Off-menu density bonus	12.22.A.25.(g)(3)	
		Public Land Use Determination	12.24.1	
		G district	13.03	
		TFAR (> 50k sf)	14.5.6	
7	Director's Determination	Director's Decision, Public/Private Use in PF Zone	12.04.09.B.9; 16.05E to H	
		Specific plan project permit compliance (no DRB recommendation)	11.5.7.C.4-6	
		Pedestrian Oriented District Director's Determination	13.07 F	
		TFAR < 50,000 sf	14.5.7	
		Site Plan	16.05	
8	Site Plan	Site Plan	16.05	
		Eldercare Facility Unified Permit	14.3.1	
Clearance				
9	Administrative Action	Site specific zoning interpretation	12.21.A.2	
		Supplemental Use District Administrative Clearance	12.32.S.4	
		"S" District Development Plans	13.02.E	
		CPIO Administrative Clearance	13.14	
		RIO administrative clearance	13.17.G1-2	
		CDO Plan Approval	13.08.E	
		Design Review	16.5	
		Conforming Work Contributing / Non-Contributing Elements	12.20.3I, -J	
		Density Bonus (On Menu)	12.22.A.25(g)(2)	
##		LADBS Permit	Change of Use Permit	91.8204 (building code)
			Building Permit	91.106.1 (building code)
			Certificate of occupancy	91.109, 12.26.E
			Density Bonus without Incentives	12.22.A.25(g)(1)
Relief				
##	Alternative Compliance	Director's Decision (Open Space)	12.21.G.3	
		Downtown Design Guide adjustment	12.22.A.30(e)	
		Zone boundary / height district adjustments	12.30.H, J, K	
		CPIO Adjustment	13.14.G.3	
		RIO adjustment	13.17.G.3	



61%

Discussion?

Questions?

Comments?