

# Applicant Resources

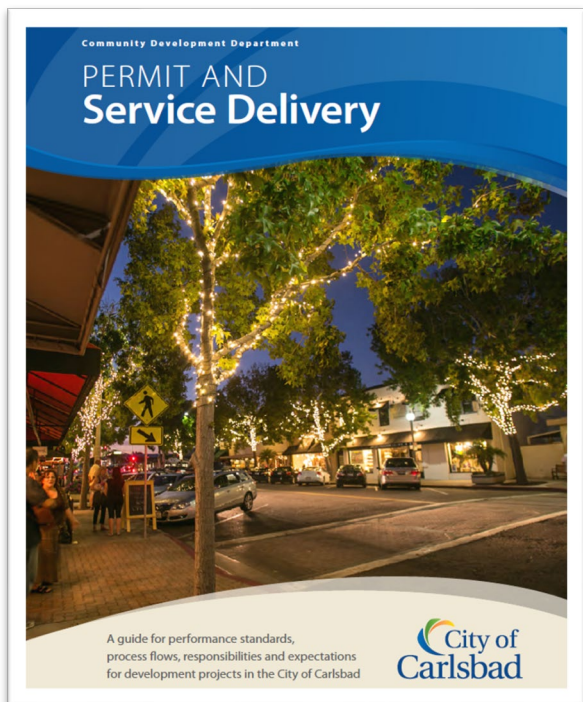
When processing a discretionary or building permit application, customers can expect that city staff will provide complete comments during plan check and inspection reviews, as well as provide any necessary explanations related to those comments as early in the review process as possible.

However, the city recognizes that sometimes a requested correction gets missed during a review or a disagreement arises over a code interpretation or directed plan change. If not resolved quickly, these situations can result in project processing delays and added development costs.

As such, this info-bulletin provides a few resources available to applicants who are running into some challenges with their permit processing.

## PERMIT & SERVICE DELIVERY GUIDE

The CD Department launched in 2021 the [Permit & Service Delivery Guide](#). This document represents the foundation of our quality customer service delivery and establishes the performance standards, processing deadlines, process flows, responsibilities, and expectations for permit review. Through its implementation, permit processing is more predictable and the application of land development rules and standards more consistent.



## DEVELOPMENT REVIEW TEAM

A key provision of the [Permit & Service Delivery Guide](#) is the responsibility of staff to ensure that each project review is conducted in a complete, concise, and timely manner.

To help achieve this, staff collaboratively work with applicants to develop a clear understanding of the scope and purpose of the proposed development project early in the review process. With this understanding, staff is better poised to help applicants successfully navigate the regulatory compliance process.

To help facilitate this effort, an internal Development Review Team (DRT) has been created, which is an interdisciplinary team made up of technical staff from various departments with varying experiences to collectively provide input on complex or controversial discretionary projects.

Projects are typically presented before the DRT during the first few weeks following application submittal so project issues and possible solutions and/or alternatives can be identified and included in the city's comment letter. For large or complicated projects, the applicant may be invited to attend the DRT to help explain the project and answer clarifying questions.

The DRT typically meets twice monthly. If you would like to be included in the meeting, please let your project planner know shortly after submitting your permit application.



## COMPLETE AND TIMELY REVIEWS

To err is human and sometimes a correction gets missed during initial application review, only to be identified later in the review process. This is often referred to as a “late hit.” Late hits, if not addressed quickly, can cause processing delays that can be costly to the applicant, such as unanticipated permit review costs, construction costs, and carrying costs.

### What Qualifies as a Late Hit?

To service our customers most appropriately and efficiently, the initial application review cycle is intended to be comprehensive and include all plan check comments for the project as it is presented. Subsequent plan checks are intended to address corrections made pursuant to the department’s initial review or address applicant-initiated project changes.

During this process, there are certain late hits that are under the control of the city, which may include the following:

- Reinterpretation of a land use policy that results in project design changes.
- Failure to timely identify project design requirements.
- Failure to appropriately apply established land use regulations.
- Failure to timely identify project impacts to environmentally sensitive lands.

In cases where city staff erred, the department is committed to working with the applicant in identifying alternative compliance solutions that minimize impacts to project design, while still complying with code requirements. Staff will also look for ways to shorten the permit processing timeline to make up for lost time resulting from the late hit.

### What Does Not Qualify as a Late Hit?

Conversely, there are situations where the city cannot control issues or corrections that are identified later in the review process. For example:

- New regulations that trigger additional requirements regardless of the status or timing of the project review (i.e., new stormwater regulations issued by the Regional Water Quality Control Board).
- The applicant/consultant provided erroneous or incorrect information or omitted information that was not provided until later in the review process.
- Legal deficiencies typically identified during environmental document review.
- Design changes or additional information that was provided in subsequent reviews that led to issues and needed corrections.

Ultimately, the department strives to ensure that staff corrections and comments are timely, accurate, comprehensive, and tied to established city policies and codes. However, should a late hit occur, or disagreement arises that cannot be adequately resolved by the assigned project planner, the following resources are readily available to help resolve processing conflicts quickly and efficiently.

## GUARANTEED SECOND OPINION



The “**Guaranteed Second Opinion**” symbol represents the department’s dedication to meeting customer service needs. Planning, environmental, engineering, and building regulations today are more

complex than ever before, requiring more judgment and interpretation – by both the applicant and city staff – to ensure drawings and construction work comply with state and local codes.

If for any reason you disagree with a code interpretation, a request for additional information or plan change, want some confirmation, or simply want to voice a concern, just ask for a second opinion.

Refer to the section “Options for Service” at the end of this info-bulletin for the appropriate division manager contact information. It is recommended you

request a **Guaranteed Second Opinion** as early in the process as necessary to keep a project within three iterations (review cycles). If the issue cannot be adequately resolved via a **Guaranteed Second Opinion**, customers are encouraged to elevate the matter and seek a **Project Issue Resolution** with a department director.



## PROJECT ISSUE RESOLUTION

**Project Issue Resolution** (PIR) conferences provide customers an opportunity to quickly and inexpensively have permit issues heard and considered by the Community Development Department Director, or in cases involving grading permit or right-of-way permit processing, or implementation of the Grading Ordinance or Subdivision Ordinance issues, the Transportation Department Director/City Engineer.

Customers must first attempt to resolve issues with the division manager via a **Guaranteed Second Opinion** before a PIR conference will be considered.

In addition to considering disagreements between staff and applicant, staff may proactively schedule a PIR conference in cases where a fourth iteration comment letter identifies outstanding project issues that will necessitate a fifth resubmittal. Exception: if the remaining issues raised in the fourth iteration letter are minor and staff expects the fifth submittal to be the final submittal, a PIR conference is not required.

Relevant city staff, applicant, and applicant consultant(s), as deemed appropriate, must attend the PIR conference.

Determinations resulting from the PIR process are solely intended to break review logjams and streamline the permit review process. They are not intended to pre-ordain permit approvals. Therefore,

PIR determinations are not binding on any city decision-making body including Planning Commission or City Council. The formal appeal of a permit determination shall follow the appropriate appeal process as specified under the applicable [Carlsbad Municipal Code](#). Consult your project planner with any questions.

Also, this process is only available to project applicants, and not for project opponents. The existing discretionary process allows for public input as part of the decision-making process. Similarly, this process will not reconsider final decisions or formal recommendations made by the director or any other formal city decision-making body.

### Scheduling a PIR Meeting

Applicants requesting a PIR conference must complete [Form P-33](#). For discretionary projects, please submit the request form to the City Planner, Engineering Manager, or Building Official, as appropriate.

All attempts will be made to schedule conferences to occur within two weeks following form submittal.

## YOUR OPTIONS FOR SERVICE

The following contacts are provided to ensure that your concern is considered by the correct department manager.

- Concerns related to discretionary permit processing, or implementation of the General Plan, Zoning Ordinance, or other planning land use regulation, please contact the Planning Division at 442-339-2600 or via email at [planning@carlsbadca.gov](mailto:planning@carlsbadca.gov) and request a Guaranteed Second Opinion with the City Planner.
- Concerns related to grading permit or right-of-way permit processing, or implementation of the Grading Ordinance or Subdivision Ordinance, please contact the Land Development Engineering Division at 442-339-2750 or via email at [landdev@carlsbadca.gov](mailto:landdev@carlsbadca.gov) and request a Guaranteed Second Opinion with the Deputy City Engineer/Engineering Manager.
- Concerns related to building permit processing, or the application of the building code, please contact the Building Division at 442-339-2719 or via email at [building@carlsbadca.gov](mailto:building@carlsbadca.gov) and request a Guaranteed Second Opinion with the city Building Official.