

Guaranteed Second Opinion & Project Issue Resolution

During the permit review and inspection process, customers can expect that Community Development (CD) Department 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 process as possible.

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

The CD Department developed the [Permit & Service Delivery Guide](#) that is the foundation of our customer service delivery. The document establishes the performance standards, process flows, responsibilities, and expectations for development projects in Carlsbad. To help implement the guide, the department created this policy document as well as a venue for applicants to quickly and inexpensively have issues heard and considered by senior management.



COMPLETE AND TIMELY REVIEWS

Staff are responsible for ensuring that each project review is conducted in a complete and timely manner with the goal of gaining compliance with documented city policies and codes, while achieving development project objectives. The CD Department is committed to applying only those rules and regulations relevant to the proposed permit and minimizing late hits to the greatest extent possible.

Documents Referenced

PIR Meeting Request Form; [P-33 Permit & Service Delivery Guide](#)

What is a late hit?

When a project issue or requirement is missed during the initial project review and caught during subsequent analysis, it is commonly referred to as a “late hit.” This can add additional processing costs and schedule delays. To service our customers most appropriately and efficiently, the initial review cycle is intended to be comprehensive and include all plan check comments for the project as it is currently proposed. Subsequent plan checks are intended to address corrections made pursuant to the initial review or address applicant-initiated project changes. There are some late hits that are under the control of the city. For example:

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

What is not a late hit?

Conversely, there are situations where the city cannot control changes that are applied late in the process. For example:

- New regulations that trigger additional requirements regardless of the status or timing of the project review.
- 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.

The goal of this policy is to ensure that staff corrections and comments are understandable and tied to established city policies and codes, reduce late hits, and develop an efficient process to resolve conflicts.



GUARANTEED SECOND OPINION

The CD Department is dedicated to meeting customer service needs and offers a Guaranteed Second Opinion. Customers are free at any time to ask the city planner, city engineer or building official for a meeting to discuss any one of the following issues:

- A perceived 'late hit' comment
- Disagreements with staff interpretations of regulations
- Requests for additional information or studies
- Complaints regarding level of customer service
- Disagreements regarding processing requirements

If the issue cannot be resolved via a Guaranteed Second Opinion, the customer may seek a Project Issue Resolution with the department assistant director or director.

PROJECT ISSUE RESOLUTION

Project Issue Resolution (PIR) conferences provide customers an opportunity to quickly and inexpensively have issues heard and considered by the CD Department assistant director or director. Customers must attempt to resolve issues with the division manager via a Second Opinion before a PIR conference will be considered.

If a permit review results in a fourth iteration comment letter on a discretionary or ministerial permit, staff must present their determination at the PIR conference prior to the release of the letter. This may result in a PIR conference with the applicant.

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 the Planning Commission or City Council.

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/hearing 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 CONFERENCE

Applicants requesting a PIR conference must complete [Form P-33](#). For discretionary projects, please submit the request form to the city planner or city engineer, as appropriate. For ministerial projects, submit the form to the building official.

All attempts will be made to schedule conferences to occur within one week following form submittal.

