

CITY OF ENCINITAS
DISCRETIONARY PERMIT APPLICATION
 PLANNING AND BUILDING DEPARTMENT

A-1

505 South Vulcan Avenue
 Encinitas, California 92024
 (760) 633-2710

Application No. _____
 Date of Application: _____
 Community Area: _____

**** Appointment Required Prior to Submittal ****

APPLICANT NAME: _____
PROJECT ADDRESS: _____ **APN:** _____

PLANNING AND BUILDING DEPARTMENT USE ONLY

FEE APPLICATION TYPE (check all that apply)	Code (PZ)	Amount
<input type="checkbox"/> Amendment Authorization by Council (AM)	PZ.....	_____
<input type="checkbox"/> Annexation (AN)	PZ.....	_____
<input type="checkbox"/> Coastal Development Permit (CO) Appeal Zone? Y: <input type="checkbox"/> N: <input type="checkbox"/>	PZ.....	_____
<input type="checkbox"/> Comprehensive Initial Study (in-house) (IS)	PZ.....	_____
<input type="checkbox"/> Conceptual Review – Planning Commission or City Council (CR)	PZ.....	_____
<input type="checkbox"/> Comprehensive Initial Study: Contract Admin (IC)	PZ.....	_____
<input type="checkbox"/> Design Review Planning Commission (<2500 Sq Ft) (D1)	PZ.....	_____
<input type="checkbox"/> Design Review Planning Commission (2501-10K Sq Ft) (D2)	PZ.....	_____
<input type="checkbox"/> Design Review Planning Commission (>10K Sq Ft) (D3)	PZ.....	_____
<input type="checkbox"/> Design Review Modification – Planning Commission (DP)	PZ.....	_____
<input type="checkbox"/> EIR's: Contract Admin (EC).....	PZ.....	_____
<input type="checkbox"/> Environmental Review Exemption (EX).....	PZ.....	_____
<input type="checkbox"/> Geotechnical Letter Report Review (LT)	PZ.....	_____
<input type="checkbox"/> Geotechnical Review: Contract Admin (GC)	PZ.....	_____
<input type="checkbox"/> Major Use Permit (MA)	PZ.....	_____
<input type="checkbox"/> Major Use Permit Modifications (UA)	PZ.....	_____
<input type="checkbox"/> Parcel Map Waiver (MW)	PZ.....	_____
<input type="checkbox"/> Planning Commission / City Council Interpretation (IN)	PZ.....	_____
<input type="checkbox"/> Resolution Amendments (RA)	PZ.....	_____
<input type="checkbox"/> Technical Studies: Contract Admin (TC)	PZ.....	_____
<input type="checkbox"/> Tentative Map with Density Bonus (TMDB)	PZ.....	_____
<input type="checkbox"/> Tentative Map Modification (MM).....	PZ.....	_____
<input type="checkbox"/> Tentative Parcel Map (2-4 lots) / Modification (TP)	PZ.....	_____
<input type="checkbox"/> Tentative Subdivision Map (TM)	PZ.....	_____
<input type="checkbox"/> Variance – Planning Commission / Other (VO)	PZ.....	_____
<input type="checkbox"/> Variance – Planning Commission / SFR (VS)	PZ.....	_____
<input type="checkbox"/> Violation (VI)	PZ.....	_____
<input type="checkbox"/> Wireless Review: Contract Admin (WC)	PZ.....	_____

DEPOSIT APPLICATION TYPE (check all that apply)	Finance#	Code	Amount
<input type="checkbox"/> General Plan Amendment (no vote required)	_____	PD.....	_____
<input type="checkbox"/> General Plan Amendment (vote required)	_____	PD.....	_____
<input type="checkbox"/> Specific Plan	_____	PD.....	_____
<input type="checkbox"/> Zoning Code Amendment	_____	PD.....	_____

<input type="checkbox"/> EIR Consultant Deposit	EN	PD.....	_____
<input type="checkbox"/> Geotechnical Consultant Deposit.....	GT	PD.....	_____
<input type="checkbox"/> Technical Studies Consultant Deposit	TS	PD.....	_____
<input type="checkbox"/> Wireless Consultant Deposit.....	WF	PD.....	_____

Total Due: _____

CASHIER USE ONLY

Receipt: _____ **Check:** _____ **Date:** _____ **Cashier:** _____

Total Paid: _____

Please complete the following:

Application No.: _____

Project Name: _____

Project Address: _____ APN: _____

Between _____ And _____
(Street) (Street)

APPLICANT

Name: _____
(Last, First, Middle Initial or Firm Name)

Phone: _____ Email: _____ Fax: _____

Address: _____

City: _____ State: _____ Zip: _____

OWNER(S)

Name: _____
(Last, First, Middle Initial or Firm Name)

Phone: _____ Email: _____ Fax: _____

Address: _____

City: _____ State: _____ Zip: _____

ENGINEER / ARCHITECT

Name: _____
(Last, First, Middle Initial or Firm Name)

Phone: _____ Email: _____ Fax: _____

Address: _____

City: _____ State: _____ Zip: _____

****PLEASE ATTACH A DESCRIPTION OF THE PROPOSED USE / PROJECT TO THIS APPLICATION.**

I acknowledge that an application for a tentative map or tentative parcel map is not deemed received pursuant to Government Code 65920 et seq. until environmental review is complete. All other application types are not deemed received until responses from interested agencies are received by the City.

I understand that if the project or any alternatives are located on a site which is included on any of the Hazardous Waste and Substances lists compiled by the Secretary for Environmental Protection pursuant to Section 65962.5 of the Government Code, then a Hazardous Waste and Substances Statement must be submitted with this application. (Information that must be included in this statement can be obtained from the Planning and Building Department.)

I further understand that all fees and deposits submitted with this application will be refunded only as provided for by the ordinances and regulations in effect at the time of the application submittal.

Signature, Owner or Authorized Agent (Attach letter of authorization)

Date

Please Print or Type Signatory's Name

**PLANNING AND BUILDING DEPARTMENT
ADMINISTRATIVE / DISCRETIONARY PERMIT APPLICATION
CHECKLIST**

CASE NO: _____ APPLICANT: _____ APPLICATION TYPE: _____

This checklist is intended to assist you in preparing your application. Note that the symbols in the right-hand column correspond to materials found in the attached application packet except for attachments T, CP, and P, which are available separately as applicable. Items marked with a (✓) below may not apply to your specific project and thus may be waived. We recommend that you meet with Planning and Building Department staff to discuss the application materials required for your project.

Rec'd	Needed	N/A	Item	
			1. Application Cover Sheets (2 pages):	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Discretionary Application, or	A-1
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Administrative Application	A-2
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Application Supplement (✓)	S
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Evidence of Legal Parcel	L
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Grant Deed	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Disclosure Statement	D
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Preliminary Title Report (✓)	
			7. Ten sets of the following plans folded to approx. 8 ½" X 11"(Note: twenty copies required for Tentative Map Applications):	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Tentative Maps (see Tentative Map Supplement for required elements)	T
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Condominium Conversions (see supplement CC for additional requirements)	CC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	c. Site Plan	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	d. Floor Plan	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	e. Elevations	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	f. Landscape Plan	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	g. Slope Analysis	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	h. Sign Plan	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Colored elevations: one rolled, complete set (O.K. to substitute photos) (✓)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Project materials/color board (O.K. to substitute 8½" x 11" brochures and/or photos) (✓)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Color photos of entire site, structures, and adjoining properties (8 ½" x 11" max.)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Application for Environmental Review (AEIS) (✓)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Deposit/Fee	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Citizen Participation Plan & Public Notice Package (refer to handout & instructions)	CP
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. Public Notice Package where Citizen Participation Plan is <u>not</u> required	P
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. 11" x 17" assessor maps	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Property owner and occupant list	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	c. Pre-addressed stamped envelopes, including applicant, consultant/representative, and property owner	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	d. Gummed labels, including applicant, consultant/representative, and property owner	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	e. Vicinity map showing location of subject site	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Statement of Justification / Findings	J
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Storm Water Checklist	SW
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. Letter from postmaster approving loading area for mail delivery (or exemption)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. Letter of Authorization	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Additional Technical Studies (as applicable)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Geotechnical Study (3 copies)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Traffic Report (3 copies)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	c. Wireless Facilities Supplemental Materials (3 copies) (see Supplement)	W
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	d. Income Verification Form (one form needed per tenant for Condo Conversion)	VF
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	e. Drainage Study (Based on latest County of SD Hydrology & Drainage Manual.) (3)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	f. Other (specify _____)	

REQUIRED DRAWING ELEMENTS

A vital part of any application package is a properly drawn, complete internally consistent set of drawings. Please read through this checklist carefully. Unless otherwise indicated, you must provide all of the following information on each set of drawings submitted. You will need to prepare 10 sets of drawings. All plans must be accurately scaled and dimensioned.

PLEASE NOTE: BOTH THE STATE OF CALIFORNIA AND THE CITY OF ENCINITAS HAVE LEGAL REQUIREMENTS FOR WHO MAY PREPARE DEVELOPMENT AND LANDSCAPE PLANS. ALL APPLICATIONS MUST INCLUDE THE NAME, SIGNATURES AND PROFESSIONAL LICENSE OR REGISTRATION NUMBERS OF THE PREPARERS. CHECK WITH CITY STAFF FOR WHO MAY PREPARE PLANS.

Needed	N/A	Item
<input type="checkbox"/>	<input type="checkbox"/>	A. <u>Site Plan</u>. <i>The site plan shall indicate:</i>
<input type="checkbox"/>	<input type="checkbox"/>	1. All exterior site boundaries, correctly scaled and dimensioned.
<input type="checkbox"/>	<input type="checkbox"/>	2. Location of buildings and structures both existing and proposed, relative to each other and to site boundaries. Indicate extensions of rooflines beyond building walls.
<input type="checkbox"/>	<input type="checkbox"/>	3. Location of off-street parking and loading facilities, and their dimensions.
<input type="checkbox"/>	<input type="checkbox"/>	4. Location and dimensions of all driveways, access roads, and curb cuts, indicating the type of construction material.
<input type="checkbox"/>	<input type="checkbox"/>	5. Location and dimensions of present and proposed street and highway dedications required to handle the traffic generated by the proposed uses.
<input type="checkbox"/>	<input type="checkbox"/>	6. Location of walls, fences and hedges, and the indication of their height and type of construction materials.
<input type="checkbox"/>	<input type="checkbox"/>	7. Location of refuse collection/enclosures and an indication of the height and type of construction materials.
<input type="checkbox"/>	<input type="checkbox"/>	8. Location and type of significant vegetation and indicate whether they will remain or be removed.
<input type="checkbox"/>	<input type="checkbox"/>	9. Locations and calculations of areas proposed to satisfy landscaping requirements, and landscaping required for parking areas.
<input type="checkbox"/>	<input type="checkbox"/>	10. Location and dimensions of easements.
<input type="checkbox"/>	<input type="checkbox"/>	11. Location of nearest buildings adjacent to the project site.
<input type="checkbox"/>	<input type="checkbox"/>	12. Location and dimensions of significant waterways, flood plains and/or other topographical features.
<input type="checkbox"/>	<input type="checkbox"/>	13. Depiction of existing site contours and all proposed grading. For housing developments, plotting and plan types, exterior treatments (elevations) and color schemes.
<input type="checkbox"/>	<input type="checkbox"/>	14. Depiction of existing and proposed drainage facilities.
<input type="checkbox"/>	<input type="checkbox"/>	15. Depiction of existing and proposed public sanitary sewer and sewer laterals. Indicate which sewer agency will be serving the property, if applicable. Show location of existing and proposed septic system.
<input type="checkbox"/>	<input type="checkbox"/>	16. Location and dimensions of any on-site trailer proposed to be used for construction office or residential purposes during construction, together with all related facilities.
<input type="checkbox"/>	<input type="checkbox"/>	17. Location of BMP stormwater treatment areas and drainage flows thereto.
<input type="checkbox"/>	<input type="checkbox"/>	B. <u>Lighting Plan</u>. The lighting plan shall indicate exterior lighting standards and devices. The plan shall be adequate to review possible hazards and disturbances to the public and adjacent properties. Fixture cuts from manufacturer shall be provided for all fixtures proposed, describing dimensions, materials and colors.

Needed	N/A	Item
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>C. <u>Sign Program</u> (if signage is to be provided). The sign program shall indicate:</p> <ol style="list-style-type: none"> 1. Location and size of existing and proposed exterior signs and outdoor advertising. 2. The nature of temporary or seasonal on-site advertising. 3. Complete drawings indicating design, materials and colors of proposed signage.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>D. <u>Preliminary landscape and irrigation plans</u> showing landscaping, paving and other hardscape and irrigation. <i>Such plans shall clearly indicate:</i></p> <ol style="list-style-type: none"> 1. Plant schedule on the plans indicating the botanical and common name of all plants and the size and location of each plant. The landscape plan shall indicate which plants are proposed to be planted new and which are existing on site, proposed to be retained. 2. Approximate location of all irrigation lines and heads. 3. Trails, walks, fences, walls (freestanding and retaining walls shall be differentiated). 4. Parkway planting and irrigation, including street trees. 5. Areas paved for parking or driving, differentiated from areas intended for landscape planting or hardscape. 6. Calculation of site area devoted to landscaping and percentage of parking lot area devoted to landscaping. 7. A scale of no less than 1" = 100' shall be used for all landscape and irrigation plans.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>E. <u>Elevations</u>. Elevation plans are <u>not</u> to be conceptual, and must accurately show proposed finished building appearance, consistent with site plans and floor plans. Provide elevations of all exterior building walls including courtyard elevations. <i>Elevations shall indicate:</i></p> <ol style="list-style-type: none"> 1. Building materials and colors; (samples of building materials and colors should also be submitted; i.e., color chips). 2. The height of buildings and structures and all applicable dimensions, from the lower of existing exterior grade or proposed finished exterior grade. 3. Any exterior mechanical equipment along with any proposed screening of such. 4. Roof treatment. 5. Window and door treatment. 6. Notes or details sufficient to define all design features, <u>and sizes</u>. 7. For housing developments, shadows to indicate horizontal depths, done in a technique that does not obscure elevation features in shadowed areas.
<input type="checkbox"/>	<input type="checkbox"/>	<p>F. <u>Floor Plans</u> for each floor, denoting room type and interior configuration, accurately scaled and dimensioned.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>G. <u>Architectural and Engineering Data</u>. Such other architectural and engineering data as may be required to permit necessary findings that the provisions of this code are being complied with.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>H. <u>Vicinity Map</u> showing location of subject property on site plan.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>I. <u>Proposed Attachment or Addition to Existing Building</u>. Where an attachment or minor addition to an existing building or structure is proposed, the plan shall indicate the relationship of such proposal to the existing development.</p>



**APPLICATION SUPPLEMENT
CITY OF ENCINITAS
PLANNING AND BUILDING DEPARTMENT**

_____ Design Review _____ MUP/MIN
 _____ TM/TPM _____ Variance Other: _____

1. Project Description. (Describe proposed project. Describe what you are requesting).

- a. building sq. ft. _____ garage sq. ft. _____
- b. exterior material/color _____
- c. window material/color _____
- d. door material/color _____
- e. roof material/color _____
- f. Landscaping Percentage _____
- g. Standards:

DENSITY	CODE REQUIREMENTS	PROJECT
Density Range Mid-Range		
Net lot area		
Lot Width		
Cul-de-sac lot width		
Panhandle lot width		
Lot Depth		
Front Yard Setback		
Interior Side Yard Setback		
Exterior Side Yard Setback		
Rear Yard Setback		
Lot Coverage		
Building Height		
Off-Street Parking		
FAR		

Community Area _____ State Coastal Zone? Yes No

Number of Proposed Residential Units: Attached _____ Detached _____

Number of Lots _____ Acres: Gross _____ Net _____

Related Case?: Yes No If yes, provide previous Case No. _____

Are there any slopes of a 25% or greater gradient or bluffs on the site? Yes No

2. Existing Conditions. (Describe the existing conditions of the site: i.e., topography, road/alley conditions, access, vegetation, structures, fencing, lot size, drainage and the like).

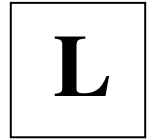
3. Surrounding Conditions. (Describe the surrounding conditions: i.e., existing structures and relationship to project, # of units, lot sizes, vehicular access, topography, use type and the like).

*5. Project Design. (Describe the design of the project and how it relates to the subject property and adjacent properties and uses).

*6. View Preservation. (Describe what views are being maintained on adjacent properties and those that may be impacted by this project.)

* NOTE: Items with an asterisk may not be appropriate for all applications. If you have questions regarding applicability to your project, please discuss with Planning Department staff.

Application No.: _____



PLANNING AND BUILDING DEPARTMENT

CITY OF ENCINITAS
505 South Vulcan Avenue
Encinitas, California 92024
(760) 633-2710

EVIDENCE OF LEGAL PARCEL

Applicant's Name _____ Telephone _____

Mailing Address _____

City _____ State _____ Zip _____

You are required to supply documentation that this property constitutes a legal parcel before the City can accept for filing any discretionary permits.

This form and associated evidence will be reviewed by the Planning and Building Department upon submittal of your application. A request for a Certificate of Compliance must be filed concurrently with or in advance of this application if the evidence presented is insufficient to determine this parcel as being a legal lot or determination will require substantial time to research.

If determined that the property is not a legal lot, no permit or other approval may be granted until corrective action has been completed.

Fees and deposits submitted with this application will be refunded only as provided for by the ordinances and regulations in effect at the time of the request.

Book _____ Page _____ Parcel _____

Signature of Applicant _____ Date _____

(Please Print or Type Signatory's Name)



CITY OF ENCINITAS DISCLOSURE STATEMENT

APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS ON ALL APPLICATIONS WHICH WILL REQUIRE DISCRETIONARY ACTION ON THE PART OF THE CITY COUNCIL, PLANNING COMMISSION, AND ALL OTHER OFFICIAL BODIES.

The following information must be disclosed:

1. List the names of all persons having a financial interest in the application.

List the names of all persons having any ownership interest in the property involved.

2. If any person identified pursuant to (1) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

3. If any person identified pursuant to (1) above is a non-profit organization or a trust, list the names of any person serving as director of the non-profit organization as trustee or beneficiary or trustor of the trust.

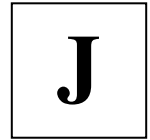
4. Have you had more that \$250 worth of business transacted with any member of City staff, Boards, Commissions, Committees, and Council within the past twelve months? **Yes** **No** If yes, please indicate person(s).

PERSON is defined as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any group or combination acting as a unit."

(NOTE: Attach additional pages as necessary.)

Signature of Applicant _____
Date

Print or type name of applicant



APPLICANT'S STATEMENT OF JUSTIFICATION

The Zoning Ordinance requires that before certain permits may be granted or modified, the granting authority must make specific findings. Attach a separate page showing how your project complies with the appropriate findings. Below are the necessary findings for the various permits:

VARIANCE:

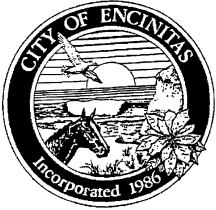
Zoning Ordinance Section 30.78.030:

- A. A variance from the terms of the zoning regulations shall be granted only when, because of the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- B. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.
- C. A variance will not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.
- D. No variance shall be granted if the inability to enjoy the privilege enjoyed by other property in the vicinity and under identical zoning classification:
 - 1. Could be avoided by an alternate development plan; which would be of less significant impact to the site and adjacent properties than the project requiring a variance.
 - 2. Is self-induced as a result of an action taken by the property owner or the owner's predecessor;
 - 3. Would allow such a degree of variation as to constitute a rezoning or other amendment to the zoning code; or
 - 4. Would authorize or legalize the maintenance of any private or public nuisance.

USE PERMIT:

Zoning Ordinance Section 30.74.070:

1. The location, size, design or operating characteristics of the proposed project will not be incompatible with and will not adversely affect and will not be materially detrimental to adjacent uses, residences, buildings, structures or natural resources, with consideration given to, but not limited to:
 - (a) The adequacy of public facilities, services and utilities to serve the proposed project;
 - (b) The suitability of the site for the type and intensity of use or development which is proposed; and
 - (c) The harmful effect, if any, upon environmental quality and natural resources of the City; or
2. The impacts of the proposed project will not adversely affect the policies of the Encinitas General Plan or the provisions of this Code; or
3. The project complies with all other regulations, conditions or policies imposed by the Code.



CITY OF ENCINITAS
STORMWATER QUALITY CHECKLIST AND CERTIFICATION



All development projects proposed within the City of Encinitas are required to implement stormwater quality measures in accordance with the *Encinitas Stormwater Manual*. The intent of these requirements is to promote practices and project designs that improve the quality of runoff and protect our local oceans, creeks, and lagoons from the harmful effects of polluted runoff. The *Encinitas Stormwater Manual* meets State-mandated requirements established by Regional Water Quality Control Board Order No. R9-2007-0001 (San Diego Region Municipal Stormwater Permit). For a more detailed description of the City's stormwater requirements, refer to the *Encinitas Stormwater Manual* on the City website (www.CityofEncinitas.org). The manual provides detailed, step-by-step guidelines on how to plan for, design, construct, and maintain stormwater treatment features. Other City stormwater-related resources available on the City's website include:

1. Municipal Code Chapter 20.08: Stormwater Management
2. Municipal Code Chapter 23.24: Grading, Erosion, and Sediment Control

This checklist is designed to guide applicants in the determination of the stormwater quality designation of the project and the design of appropriate stormwater quality features. Projects may be designated as 1) **Priority**, 2) **Standard**, or 3) **Exempt** projects. At a minimum, all projects are required to provide designs and employ practices that minimize the potential for discharge of pollutants into the City's storm drainage system or local receiving waters, as outlined in the *Requirements for All Development Projects* below.

Requirements for ALL Development Projects

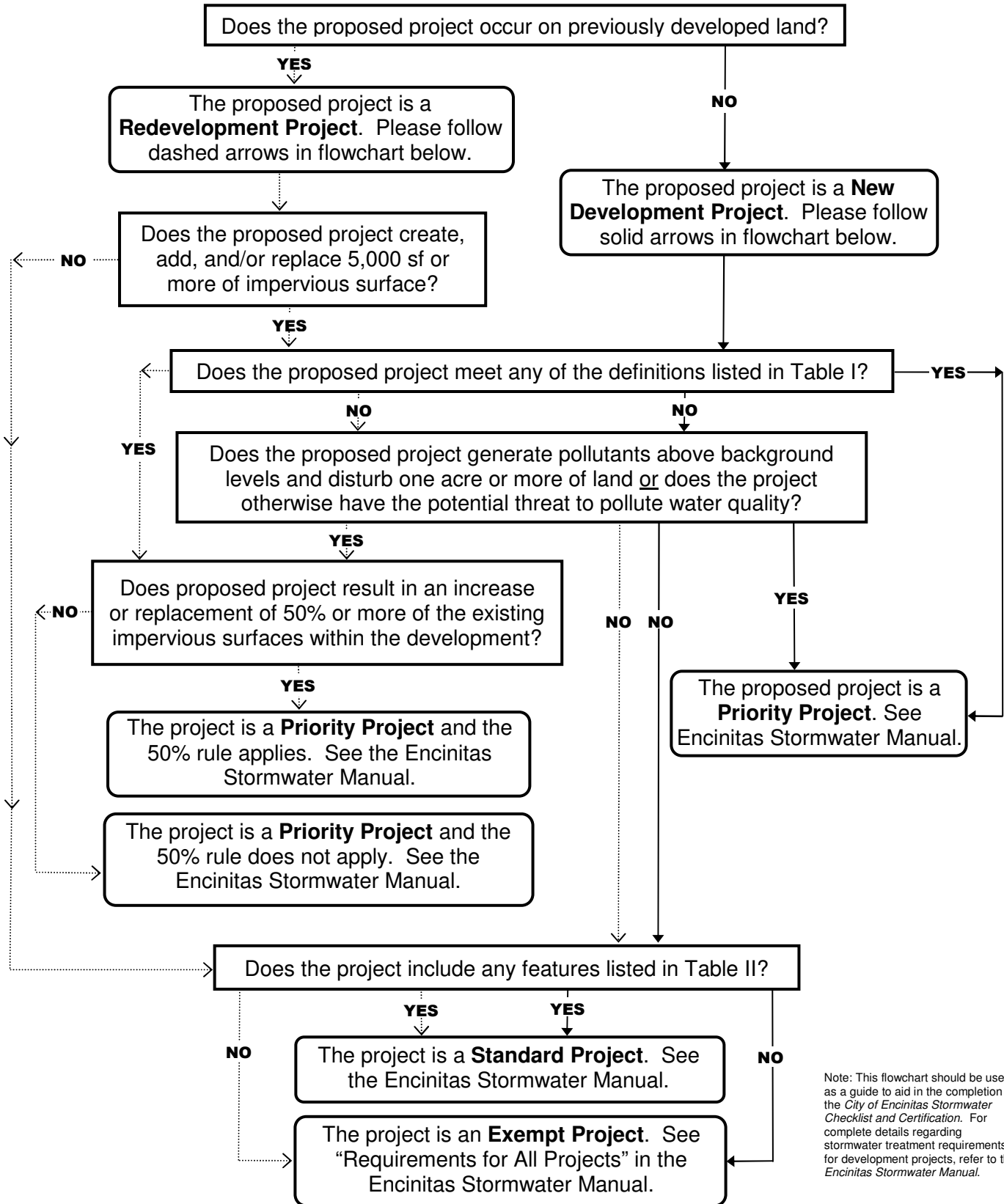
All development projects (including Exempt Projects) must include a minimum set of control measures to reduce the discharge of stormwater pollutants to the maximum extent practicable. All projects must include:

- Implementation of Best Management Practices (BMPs) to control potential pollutant sources.
- Inclusion of Low Impact Development (LID) features that minimize the water quality impacts of the project.
- Compliance with requirements for construction-phase controls on sediment and other pollutants.

In addition, all projects must design and install drainage features so that runoff from impervious areas (such as rooftops, parking lots, and driveways) drains through pervious or vegetated areas for treatment before draining to public or private streets or storm drainage systems. No Directly Connected Impervious Area (DCIA) will be allowed on any development project (Encinitas Municipal Code Section 23.24.120). For more information about prohibited DCIA practices and the stormwater runoff requirements for all projects, refer to the *Encinitas Stormwater Manual*.

Beyond the minimum *Requirements for All Development Projects* listed above, the stormwater quality measures required for a particular project differ based upon the nature of the proposed development. Step 1 (Tables I and II below) is designed to assist you in determining the appropriate stormwater quality designation for your project. An overview of the method for determining the designation is included in the flowchart on the next page.

FLOWCHART: DETERMINATION OF THE APPROPRIATE STORMWATER QUALITY DESIGNATION FOR DEVELOPMENT PROJECTS



Note: This flowchart should be used as a guide to aid in the completion of the *City of Encinitas Stormwater Checklist and Certification*. For complete details regarding stormwater treatment requirements for development projects, refer to the *Encinitas Stormwater Manual*.

STEP 1: DETERMINE STORMWATER QUALITY DESIGNATION

Step1 is designed to assist you in determining the appropriate stormwater quality designation for your project.

Step 1A: Determine Development Type and Priority Project Category Applicability

The first step in assessing the appropriate stormwater designation for your project is to determine whether it is a New Development Project or a Significant Redevelopment Project according to the definitions below.

New Development Projects are defined as projects proposing new impervious area on a previously undeveloped parcel.

Significant Redevelopment Projects are projects on previously developed land that create, add, and/or replace 5,000 square feet (s.f.) or more of impervious surface. Replacement of impervious surfaces includes any activity that is not part of a routine maintenance activity where impervious material(s) are removed, exposing underlying soil during construction. Redevelopment does not include interior remodels, roof or exterior surface replacement; trenching and resurfacing associated with utility work; resurfacing and reconfiguring surface parking lots and existing roadways; new sidewalk construction, pedestrian ramps, or bike lane on existing roads; and routine replacement of damaged pavement, such as pothole repair. However, other requirements, including incorporation of appropriate source controls, still apply. If your redevelopment project is exempt, the project is still obligated to meet the *Requirements for All Development Projects*, to the extent practicable. The City of Encinitas will make the final determination as to whether a proposed project is exempt from the requirements detailed in the Encinitas Stormwater Manual.

If your project meets one of the two definitions of development listed above, use Table I to determine if your project is a Priority Development Project.

Table I: Determine if Project is a Priority Development Project			
Review each category A through J to determine whether the project meets the definition of one or more of the Priority Project categories. If any response in Table I is "Yes", the project is a Priority Development Project ; <i>please continue to Step 3</i> . If all responses are "No", <i>please continue to Step 2B</i> .			
Does the project meet the definition of one or more of the following categories?			
A	Housing subdivisions of 10 or more dwelling units. Examples: single-family homes, multi-family homes, condominiums, and apartments.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
B	Commercial—greater than one acre of development. Any development other than heavy industry or residential. Examples: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; municipal facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; airfields; and other light industrial facilities.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
C	Heavy industry—greater than one acre of development. Examples: manufacturing plants, food processing plants, metal working facilities, printing plants, and fleet storage areas (bus, truck, etc.).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
D	Restaurants. Any facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirements and hydromodification requirements.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Table I (cont.): Does the project meet the definition of one or more of the following categories?			
E	Hillside development greater than 5,000 square feet. Any development that creates 5,000 square feet of impervious surface and is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
F	Environmentally Sensitive Areas (ESAs). All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
G	Parking lots 5,000 square feet or more or with 15 or more parking spaces and potentially exposed to urban runoff.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
H	Streets, roads, driveways, highways, and freeways. Any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
I	Retail Gasoline Outlets (RGOs) that are: (a) 5,000 square feet or more of development or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
J	Automotive repair shops. A facility categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If the answer to one or more of the categories in Table I is "Yes", the project is a considered **Priority Development Project** for stormwater quality. The project will be required to install Source Control measures, Low-Impact Design (LID) features, and Stormwater Treatment Facilities that meet specific criteria. Proceed to Step 2 and use the Encinitas Stormwater Manual for guidance on meeting these requirements. If all answers in Table I are "No", proceed to Step 1B.

Step 1B: Determine Project's Water Quality Sensitivity

Development projects have the potential to contribute pollutants that could threaten local and downstream water quality. Review the following project categories and determine whether your project meets either one of these definitions.

Pollutant Generating Project Which Disturbs One Acre or More of Land. Projects that generate pollutants at levels greater than background levels and disturb one acre or more of land are considered Priority Development Projects. In most cases linear pathway projects that are for infrequent vehicle use (such as emergency or maintenance access) or for pedestrian or bicycle use are not considered pollutant generating above background levels if they are built with pervious surfaces or if they allow runoff to sheet flow to surrounding pervious surfaces.

All Development Projects with Potential Threat to Pollute. Some projects not meeting the definitions listed in Table I may still be designated as Priority Projects if they are found to cause a threat to water quality through excess pollution potential. The City of Encinitas has the discretion to designate a project not listed within Table I as being a Priority Project based on the project's potential impacts to stormwater quality.

If your project meets either of the categories described above, the project is a **Priority Development Project** for stormwater quality and the project will be required to install Source Control measures, LID features, and Stormwater Treatment Facilities. The City Engineer will make the final determination as to whether your project meets one of the definitions. Proceed to Step 2 and use the Encinitas Stormwater Manual for guidance on meeting these requirements.

If your project does not meet one of the two categories listed above, proceed to Step 1C to determine whether your project includes any features that are consistent with the Standard Project classification.

Step 2C: Determine Standard Project Feature Applicability

Table II: Determine if Project is a Standard Project			
To use Table II, review A through J to determine whether the proposed project includes any feature that would qualify the project as a Standard Project. If the response to any feature in A through J below is "Yes", the project is designated as a Standard Project . If all responses are "No", the project is an Exempt Project . After completion of Table II, <i>please proceed to Step 2</i> .			
Does the project include any features qualifying it as a Standard Project?			
A	New Impervious Surface Areas totaling 500 square feet or more combined, and including any cumulative development over the five-year period preceding the time of application. Impervious areas include improvements such as rooftops, roads, parking lots, driveways, patios, pool decks, paths, etc.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
B	Reconstruction of any Existing Impervious Surface Areas such as rooftops, roads, parking lots, driveways, paths, and sidewalks in excess of 500 square feet, including any cumulative development over the five-year period preceding the time of application.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
C	Permanent Structures within 100 feet of any natural water body.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
D	Trash Storage Areas.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
E	Loading and/ or Unloading Areas for liquids and/or solid materials.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
F	Vehicle or Equipment Fueling, Washing, and/or Maintenance Areas.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
G	General NPDES Permit Required for storm water discharges associated with industrial activities (except for construction permits)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
H	Commercial and/ or Industrial Waste handling or storage, excluding typical office or household waste.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
I	Grading or ground disturbance proposed during construction.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
J	Storm Drains including new storm drains as well as alteration to existing storm drains that reduce natural storm water treatment.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If the answer to one or more of the features in Table II is "Yes", the project is a **Standard Project** for stormwater quality. The project will be required to install Source Control measures, Low-Impact Design Features, and some Stormwater Treatment Facilities. Proceed to Step 2 and use Chapter 4 of the Encinitas Stormwater Manual as a general guide when designing stormwater treatment facilities that will meet Standard Development Project requirements.

The City of Encinitas will make the final determination as to whether a proposed project is exempt from the requirements detailed in the Encinitas Stormwater Manual. If the answers to all categories in Tables I and II are "No", and the project has been determined by the City of Encinitas not to be a pollutant generating project or have the potential to pollute, the project is an **Exempt Project** for stormwater quality but is still required to meet the *Requirements for All Development Projects*. Please proceed to Step 2.

STEP 2: DETERMINE PROJECT SUBMITTAL REQUIREMENTS

Requirements for Exempt, Standard, and Priority Projects are discussed in turn below. Engineering Services Department staff are available to answer any specific questions regarding the stormwater quality requirements.

Please check the box adjacent to the project type determined in Step 1.

- Exempt Project:** See Step 2A below.
- Standard Project:** See Step 2B below.
- Priority Project:** See Step 2C below.

Step 2A: Determining Stormwater Quality Measures for an Exempt Project.

Exempt projects are not required to install new Stormwater Treatment Facilities but shall utilize existing on-site landscape and pervious areas to avoid Directly Connected Impervious Areas (DCIA) as outlined in the *Requirements for All Development Projects* section above and in the *Encinitas Stormwater Manual*. In addition, Exempt Projects, like all other projects, are required to comply with requirements for construction-phase controls on sediment and other pollutants. *Please proceed to Step 3.*

Step 2B: Determining Stormwater Quality Measures for a Standard Project.

Standard Projects are obligated to conform to the *Requirements for All Development Projects* outlined in the previous section as well to as integrate some BMP or LID features into the project proposal. BMP and LID features should be designed using Chapter 4 of the *Encinitas Stormwater Manual* as a general guide and then depicted on the plans for the permit. In addition, based on the types of BMPs or LIDs proposed, the City may require that a maintenance agreement be developed. *Please proceed to Step 3.*

Step 2C: Determine Stormwater Quality Measures for a Priority Project.

Priority Projects will be required to install Source Control measures, Low-Impact Design (LID) features, and Stormwater Treatment Facilities that meet specific criteria. Please refer to the *Encinitas Stormwater Manual* which includes detailed guidance for the planning and design of acceptable storm water quality features and for developing your project submittal package.

The 50% Rule for Significant Redevelopment Projects Only: The requirements for Priority Redevelopment Projects differ depending upon the amount of redevelopment proposed. If the proposed project results in an increase and/or replacement of 50% or more of the previously existing impervious surfaces onsite, then the entire development must be included in the stormwater treatment design. If less than 50% of the previously existing impervious surfaces will be affected by the proposed project, then only the affected previously existing areas and the newly proposed project must be included in the stormwater treatment design.

After completing the steps outlined in the *Encinitas Stormwater Manual*, Priority Projects shall provide required documentation to the City detailing the project's compliance with Priority Project standards. All documentation shall be reviewed and approved by the City of Encinitas prior to issuance of a grading or improvement permit or prior to the issuance of any discretionary permit, at the direction of the City Engineer. At a minimum, the items below are required for stormwater facility documentation of Priority Projects. The City Engineer may pose additional requirements for certain projects. Upon review of the submittal requirements in Step 2C, *please proceed to Step 3.*

PRIORITY PROJECT SUBMITTAL MINIMUM REQUIREMENTS

Priority Projects shall provide to the City all of the following documentation detailing the project's compliance.

- I) STORMWATER QUALITY SECTION OF DRAINAGE STUDY:** A Stormwater Quality discussion shall be included as a separate section within the project drainage study and shall include a **narrative** as well as an **exhibit**. Minimum requirements for the narrative and exhibit are discussed in items (a) and (b) below.
- a) STORMWATER QUALITY NARRATIVE:** The stormwater quality narrative in the drainage study shall discuss, at a minimum, the items listed below.
- 1) Tabulation of the square footage of proposed pervious areas, impervious areas, and areas draining to an IMP. Also, a tabulation of the square footage of self-treating areas, self retaining areas, and areas draining to self-retaining areas, as applicable. (Step 3)
 - 2) Calculations of the required sizing for self-retaining and Integrated Management Practice (IMP) areas and calculations documenting the sufficiency of the facilities provided. (Step 3)
 - 3) A table of pollutant sources identified, and the source control measure(s) used to reduce pollutants to the maximum extent practicable. See worksheet in Appendix A of the Encinitas Stormwater Manual. (Step 4)
- b) STORMWATER QUALITY EXHIBIT:** The Stormwater Quality Section of the drainage study shall contain one exhibit including all of the items listed below. The Stormwater Quality Exhibit must be in conformance with the Site Plan. The Stormwater Quality Exhibit shall include the Site Plan features screened into the background for ease of confirming agreement between the Exhibit and the Site Plan.
- 1) Division of entire site into distinct drainage management areas (DMAs), with each drainage management area assigned a unique identifier (e.g., 1, 2, 3 or A, B, C). (Step 1)
 - 2) Square footage and types of surfacing (e.g., roof, landscape, pavement) included in each DMA and the total DMA square footage. (Step 1)
 - 3) Hydrologic soil group and depth to groundwater (as applicable) for each DMA. (Step 1)
 - 4) Each DMA labeled as self-treating, self-retaining, draining to a self-retaining area, or draining to an IMP. (Step 2)
 - 5) Potential pollutant source areas, including refuse areas, outdoor work and storage areas, etc. listed in Appendix A and corresponding required source controls. (Step 4)
- II) SITE PLAN:** At a minimum, the Site Plan shall include the items listed below. A copy of the Site Plan shall be included in the Stormwater Quality Section of the drainage study.
- 1) Existing and proposed drainage network and connections to drainage off-site. (Step 3)
 - 2) Depiction of site design characteristics that minimize disturbance as well as building features and pavement selections that minimize the proposed imperviousness of the site. (Step 3)
 - 3) Proposed design of each IMP feature and any Permanent Source Control features. (Step 3)
 - 4) Title sheet standard notes for each of pollutant sources identified specifying the source control measure(s) to be used to reduce pollutants to the maximum extent practicable. See worksheet in Appendix. (Step 4)
 - 5) Existing natural hydrologic features such as depressions, watercourses, floodplains, relatively undisturbed areas as well as significant natural resources. (Step 1)
 - 6) The City of Encinitas Standard Storm Water Quality Notes shall be added to the site plan.
 - 7) Certification by a civil engineer, architect, or landscape architect on the title sheet. (Step 6)
- III) MAINTENANCE AGREEMENT:** In order to provide for the perpetual maintenance of the stormwater treatment facilities, the City will prepare for the property owner a Maintenance Agreement that shall record against the property. The items listed below shall be provided to the City for inclusion in the Maintenance Agreement.
- 1) Discussion of general maintenance needs for infiltration, treatment, and flow-control facilities. (Step 5)
 - 2) The means by which facility maintenance will be financed and maintained into perpetuity. (Step 5)
 - 3) Statement accepting responsibility for interim operation and maintenance of facilities. (Step 5)
 - 4) Plat and legal description of the property.

STEP 3: STORMWATER PROJECT CERTIFICATION

The property owner of any project (Priority, Standard, or Exempt) shall complete the following Owner's Certification. In addition, any agent completing this form on behalf of a client shall complete the Agent's Certification below.

Owner's Certification:

I hereby acknowledge that my project is subject to the stormwater quality regulations of the City of Encinitas and certify that my project will provide satisfactory stormwater quality measures both during the construction process and afterwards.

If my project is designated as a Priority or a Standard Project, I further acknowledge my understanding that the permanent stormwater treatment features must remain in place, be inspected at least once annually, and be maintained in good working order. Removal or modification of these features without prior City authorization is prohibited.

I certify that I have reviewed the information contained in this form and verified that it is both complete and correct.

Owner 1 Signature	Date	Owner 2 Signature	Date
Printed Name of Owner 1		Printed Name of Owner 2	

Agent's Certification:

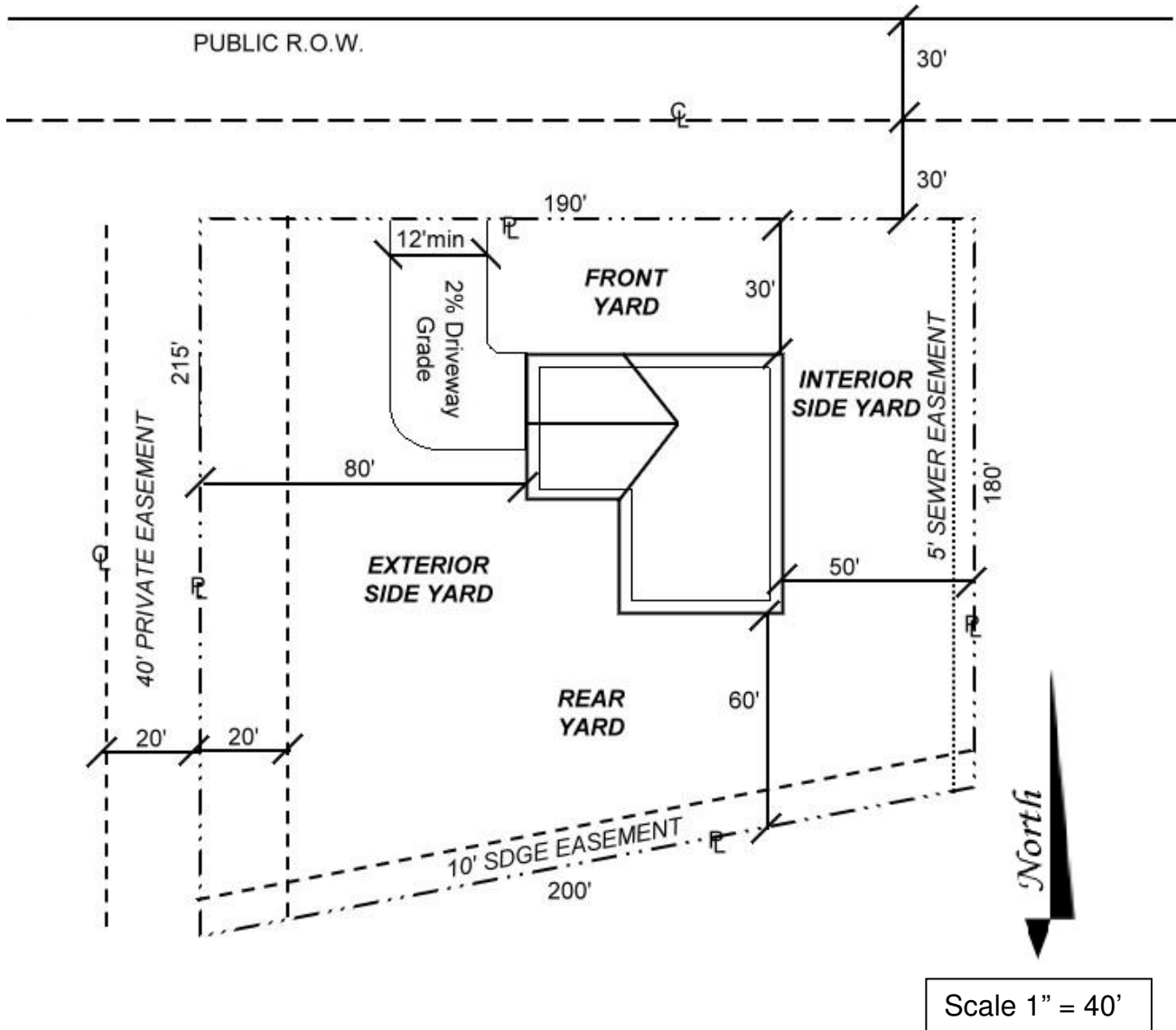
I hereby certify that this project will be designed in conformance with the stormwater quality regulations of the City of Encinitas.

I certify that I have reviewed the information contained in this form and verified that it is both complete and correct.

Agent Signature	Date
Printed Name of Agent	
Working Capacity of Agent (architect, engineer)	
Company Name	Place Professional Seal Above

Application No.: _____

Site Plan Sample – Not for Construction Purposes



Assessor's Parcel Number: _____
Zoning: _____
Floor Area Ratio: _____
Lot Coverage: _____
Project Description: _____
Site Address: _____

NET ACREAGE CALCULATIONS

GROSS ACRES		_____ +/- Ac.
LESS:	Dedication _____	_____ +/- Ac.

	Proposed _____ Rd.	_____ +/- Ac.
	Private Streets	_____ +/- Ac.
	Significant Wetlands	_____ +/- Ac.
	Utility Easements	_____ +/- Ac.
NET ACRES		_____ +/- Ac.

SLOPE DENSITY RANGE CALCULATION

A. MAXIMUM RANGE:

<u>SLOPE</u>	<u>NET ACRES</u>	<u>DENSITY</u>	<u>DWELLING UNITS</u>
0 - 25%	_____	x _____ D.U. =	_____
25 - 40%	_____ ÷ 2	x _____ D.U. =	_____
40% +	_____	-	<u>none</u>
		Total	_____ D.U.'s

B. MID-RANGE:

<u>SLOPE</u>	<u>NET ACRES</u>	<u>DENSITY</u>	<u>DWELLING UNITS</u>
0 - 25%	_____	x _____ =	_____
25 - 40%	_____ ÷ 2	x _____ =	_____
40% +	_____	-	<u>none</u>
		Total	_____ D.U.'s

CERTIFICATION OF POSTING

I certify that the "Notice of Permit Application" has been posted at a conspicuous location on the site on _____
(date)

SIGNATURE: _____

PRINT NAME: _____

CASE NUMBER: _____

LOCATION: _____

RETURN TO: _____
(Planner)

CITY OF ENCINITAS
PLANNING AND BUILDING DEPARTMENT
Planning Division
505 South Vulcan Avenue
Encinitas, CA 92024
(760) 633-2710