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Department of Planning and Community Development  
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[www.delmar.ca.us](http://www.delmar.ca.us)

# ***DESIGN REVIEW PERMIT***

## ***An applicant's guide to the process***

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*The following information is intended to provide information on the City of Del Mar's process for review of Design Review. Please contact the Planning Department to obtain additional information, including a copy of the City's Design Review Ordinance (DMMC Chapter 23.08).*

### **PURPOSE**

The Del Mar Design Review process is intended to preserve and improve the scenic amenities of Del Mar and to protect the City's natural environment, its scenic vistas and the community's overall aesthetic quality. The Design Review process encourages good design, including the use of harmonious materials and colors, and the appropriate use of landscaping. In addition to protecting the City's scenic and natural resources, the Design Review process also has the desired effect of protecting property values.

Most construction projects are subject to some level of Design Review (exemptions are discussed below). As part of the review process, application proposals are evaluated for their consistency with the provisions of the Del Mar Community (General) Plan and with the City's Zoning Ordinance. In reviewing a Design Review application, staff and the Design Review Board (DRB) will also evaluate the project's consistency with the applicable Design Review standards, found in the Design Review Ordinance (DRO). Depending on the project's location, the project may also be subject to Design Review standards for the underlying zoning designation.

The Design Review Board's review involves an evaluation of a structure's placement and size, the materials and colors to be used, and in the case of a new structure, the type and extent of the landscaping proposed. It will also involve an evaluation of the project's compatibility with the uses and design of structures on surrounding properties.

The City's Design Review standards are structured such that if there is *not* a determination that a project will be *inconsistent* with one or more of the standards, the application will be approved. Project approval is generally conditional, with conditions attached, as necessary, to ensure the project's continued compatibility with the Design Review and Zoning Ordinances, and to address health and safety issues.

### **EXEMPTIONS**

Some minor projects and activities involving repair or maintenance of existing structures may be exempt from the requirement for Design Review. The determination of a project's exempt status can be made through a visit to the Planning Department, where a staff member can review plans showing the proposed scope of work.

For projects in which a Design Review Permit is required, the following steps apply.

## DRB APPLICATION REVIEW PROCESS

### Step 1 – Pre-Application Conference

To process an application most effectively, a pre-application conference with a member of the Planning Department is highly recommended. The applicant and/or applicant's representative should call to make an appointment and should be prepared to provide information regarding the project site and the development proposal at that appointment. This may include rough plans or sketches of the proposed development and information about existing site conditions.

### Step 2 – Filing of Application

Applications may be filed at the Planning Department counter Monday through Friday between the hours of 1:00 p.m. and 4:30 p.m. At the time of submittal, the application will be given a preliminary review to determine if all submittal requirements have been met. At that time, there will also be a preliminary indication of whether the project requires full Design Review before the Board or is eligible for Administrative Design Review (ADR). The two "levels" of Design Review are described below.

#### A. *[Full] Design Review at a Board Hearing*

This process involves review of the application by the seven-member Design Review Board at a noticed public hearing. A staff report is prepared describing the project and the applicable standards of review. After the close of public testimony, the Design Review Board renders a decision to approve, conditionally approve, or deny the application. In some instances, an application may be continued to a subsequent meeting to allow staff to gather additional information or to allow an applicant the opportunity to modify project plans. Regularly scheduled Design Review Board meetings are held at 6:00 p.m. on the fourth Wednesday of each month.

#### B. *Administrative Review*

This process is available for certain minor projects such as small room expansions, fences and pools. Applications are reviewed by staff for consistency with the applicable Design Review and Zoning standards. If staff deems a project to be consistent with these standards, the application is given preliminary approval by the Planning Director. A notice of the Director's determination is sent to persons owning property within 300 feet of the project site. If no written objection is filed within 10 working days of the mailing of the notice, the Director's approval becomes final and the applicant may proceed with obtaining building permits from EsGil Corporation at the City of Solana Beach Building Counter (635 S. Highway 101, Solana Beach, CA 92075). If timely written objection is filed, the application is placed on the next available agenda for a public hearing before the Design Review Board. (For a more detailed description please refer to the separate handout entitled *Administrative Design Review: An Applicant's Guide to the Process.*)

Note: Due to a property's location in a special overlay zone, or due to its particular characteristics, a project may require other City authorizations in addition to a DRB Permit. It is best to consult a member of the Planning Department regarding any other permit requirements.

## APPLICATION SUBMITTAL REQUIREMENTS

The following is a list of documents or information that must be submitted as part of an application. There may be items on the list which staff determines are not required for a given application. These may be discussed at the suggested pre-application conference. However, unless directed otherwise by staff, each of the listed items is required. Incomplete submittals will **not** be accepted.

1. **Application Form** (completed and signed by the applicant(s) and property owner(s))
2. **Project Priority Assessment Form** (completed and signed by the applicant)
3.
  - a. **Grant Deed** (copy)
  - b. **Title Report** (The Title Report shall be no older than six months from the time of submittal)
4. **Application Fee** (please see Fee Schedule)
5. **Project Plan Sets** are to be 24" x 36" sheets, collated, stapled, and then folded to 8½" x 14" (legal size), with the lower right-hand corner on top. No additional loose pages will be accepted. Submit four (4) complete sets for initial review. After review of the plans by staff, ten (10) additional sets or revised sets will be required to be submitted in the week prior to the DRB meeting. Please use paper that can be recycled.

Project plans shall include all of the information listed below unless otherwise waived or determined not applicable by the Planning Department. For architectural drawings, use of 1/8<sup>th</sup> or 1/4<sup>th</sup> scale is highly recommended. Subsequent copies of plans, including working drawings must show use of the same scale as the original submittal:

- a. **Site Plan** properly dimensioned and drawn accurately to scale (preferably a 10 engineer scale or a 1/8<sup>th</sup> or 1/4<sup>th</sup> architectural scale) containing the following information:
  - Scale and North Arrow pointing to Top of Page
  - Vicinity Map
  - Benchmark Elevation (see *Benchmark Handout*)
  - Name and Address of Applicant, Architect, and/or Engineer
  - Date of Plan Preparation, including Revisions
  - Location and Dimensions of *all* Easements
  - Indication of Property Encumbrances
  - Proposed Structure(s)
  - Existing Structure(s) to be labeled Removed or Retained
  - Cross-hatching Delineating Areas of New vs. Existing Structure(s)
  - Location of all Accessory Structure(s), i.e. sheds, pools, fencing, etc.
  - Maximum Elevation of Major Points of Building (i.e. ridge lines)
  - Dimensions of Distances between all Building and/or Structures
  - Required and Proposed Building Setbacks (front, rear, and sides)
  - Location of all Structures adjacent to the subject property including Extensions and Rooflines beyond Building Walls
  - Location of Adjacent right-of-way Paving or Improvements
  - Location of *all* existing Torrey Pine and Monterey Cypress trees on-site and within 10 feet on neighboring properties and Indicate if the trees will be removed or retained. If the site is within the Commercial or Open Space Overlay Zones, indicate the location of all existing trees, regardless of species.
  - Location of Off-Street Parking, Loading Facilities and the Dimensions
  - Location of *all* driveways, access roads and curb cuts and Indicate the dimensions and the type of construction material

- Location and Dimensions of Present and Proposed Street and Highway Dedications
  - Location and Dimensions of Significant Waterways, Flood plains and/or other Topographical Features on or immediately adjacent to the Development Site.
  - Location of Refuse Collection/Enclosures, including the Height and Type of Construction Materials
  - Location of *all* Signs for Commercial Projects
  - *Summary Table* to include the following
    - Site acreage (net and gross size)
    - Existing zone and land use
    - Proposed land use
    - Lot Coverage (Allowable & Proposed)
    - APN (Assessor's Parcel Number)
    - FAR (Allowable & Proposed)
    - Building Square Footage
    - Number of Parking Spaces
- b. **Topographical Map** prepared by a Registered Civil Engineer or a Licensed Land Surveyor with existing and proposed grades (shown at different line weights) for the entire site indicated by using two-foot contour lines. The Topographical Map may be combined with the required Site Plan.
- c. **Floor Plans** drawn accurately and to scale, containing the following information:
- Scale and North Arrow
  - Floor Area Ratio (FAR), including Exempted Areas
  - Square footage of each Room/Level
  - Square footage of all Proposed Decks
  - Designation for each Rooms Use
  - Lines and Labels indicating Alignment of Cross-Sections
- d. **Building Elevations** drawn accurately to depict the proposed finished building appearance, consistent with the site plans and floor plans. Elevations are not to be conceptual. The Elevations shall be properly dimensioned, drawn accurately and to scale, containing the following information:
- Label North, South, East and West Elevations
  - Proposed and Existing grades adjacent to the Structure(s)
  - Floor elevations and Building Heights relative to the City Benchmark
  - Maximum Elevation of all Major Points of Buildings, including Ridge Lines, Chimneys and other Roof Penetrations
  - Location, Height and Materials of Walls, Fences and Hedges in relation to the Elevation of Adjacent Grade. The tops and bottoms of walls/fences/hedges shall be indicated
  - Location of Proposed Solar Panels
  - Exterior Mechanical Equipment and the Proposed Screening
  - Building Material and Color including the Roof Material, Window and Door Trim and Accent Materials
  - For New Basements, the line of the Basement from all Elevations with Proposed Ceiling Heights and Adjacent Existing/Proposed Grades
- e. **Building Sections** properly dimensioned, drawn accurately and to scale, containing the following information:
- Structural Height Dimensions

- Drawing through the Structure and Adjacent Grade at Critical Points in at least Two Directions
  - If a Basement is proposed, indicate Detailed Section indicating Dimensions and Heights for Basement Ceiling, Floor Above, Lightwells and Adjacent Proposed and Existing Grades
- f. **Roof Plan** drawn accurately and to scale, containing the following information: (The Roof Plan may be used as the basis for a Story Pole Plan)
- Maximum elevations of all roof ridgelines
  - Location of all Skylights (Operable or Non-Operable), Solar Panels, and Chimneys
  - Topographical Lines Adjacent to Structure
- g. **Landscape/Irrigation Plan** is required for new structures and projects involving significant alteration (greater than 50% of existing structures). Plans shall be drawn accurately and to scale, containing the following information:
- Scale and North Arrow pointing to Top of the Page and a Legend
  - Plants which are Proposed and Existing Plants to be retained on-site.
  - Alphabetical listing of Plant Species using Botanical and Common Names
  - Number and Container Size of each Species to be Planted
  - Mature heights of *all* Species
  - Indication of Landscape Maintenance Responsibility (Private or Common)
  - Percentage of Site devoted to Turf (maximum 15% of site allowed)
  - Approximate Location of Irrigation Lines and Heads
  - Proposed Trails, Walks, Fences, and Walls (Freestanding and Retaining Walls shall be clearly differentiated)
  - Parkway Planting and Irrigation
  - Areas to be paved for Parking or Driving, differentiated from areas intended for Landscape Planting or Hardscaping
  - Calculation of Site devoted to Landscaping and Percentage of Parking Lot Area devoted to Landscaping
- h. **Lighting Plan** shall include an indication of the type of lighting fixtures/systems, for all lights to be installed on the exterior of structures and for all stand-alone landscape or area lighting. The review is intended to ensure that lighting will be of a low level intensity and will not be obtrusive when viewed from adjacent properties or rights-of-way.
6. **Reduced Plan Set** reproduced in size of 11" x 17" (one copy).
7. **Photographs** of subject site and adjacent properties mounted on 8½" x 11" durable cardboard or plastic board.
8. **Material Board** - Actual samples of materials depicting colors and textures, securely mounted on 8½ x 11 durable cardboard or on a plastic board.
9. **Public Noticing Package:**

For a fee, City staff will prepare the Notice Map, Notice List and will supply the required envelopes. For additional information, see the *Public Notice Handout*.

- a. **Noticing Map** - A 300' radius map drawn on assessor's parcel maps and spliced together (when necessary) showing the 300' radius measured from the exterior boundaries of the property of the subject property.
  - b. **Noticing List** - A typewritten list of property owners that corresponds to the radius map required above. The list shall contain the names, addresses, and assessor's parcel number for all parcels within the radius area (including the applicant and/or owner).
  - c. **Noticing Envelopes** - Stamped business size envelopes with typed address labels for all parties listed on the property owner's list required above. The envelopes must also include a City of Del Mar return address.
  - d. **Affidavit** - Certification that the Public Notice Mailing List is accurate and up to date.
10. A **Development Permit Pending Notice Sign** shall be posted on the site. The sign must be posted in a conspicuous location along the property's street frontage(s) at least 15 days prior to the Design Review Board hearing date.
  11. **Miscellaneous Information** may apply to certain applications, due to their location in areas of steep slopes or adjacent to sensitive resources, and may require the submittal of additional information such as a soils report or a slope analysis.

### **Step 3 – Staff Review of Application Submittals – Incomplete Applications**

After the initial submittal of the application, the project will be assigned to a member of the Planning Department for a detailed analysis. The planner will review the application for completeness and for compliance with the applicable Zoning Codes. If it is determined that the application is missing information, or is somehow inconsistent with one or more provisions of the Zoning Code, it will be deemed *Incomplete*. A letter will be sent to the applicant regarding the necessary information and/or changes.

For those projects for which a Conditional Use Permit, Variance, Floodplain Development Permit or other Planning Commission review is required, the Design Review application will be deemed *Incomplete* until such approval is received. Generally, an incomplete application will not be placed on an agenda for a Design Review Board hearing. Further, if a project had been placed on a preliminary agenda, its status as *Incomplete* may result in its being removed from the final agenda and continued to a future meeting date.

### **Step 4 – Story Pole Plan & Certification**

Story Poles are required to be erected 15 days prior to the Design Review public hearing and certified by a licensed land surveyor or civil engineer 10 days prior to the Design Review Board's meeting. Please refer to the *Story Pole Handout* for further information.

### **Step 5 – Design Review**

Once complete, an application will be reviewed for consistency with the applicable Design Review regulations. Generally, there is a six week-period between the time of submittal and the scheduled hearing date.

The length of time for the Design Review Board's processing of an application may vary, depending on the complexity of the proposal and the Design Review Ordinance issues, which it raises. In the majority of cases, the DRB approves the project the first time the application is on the DRB agenda. However, the Board does have the discretion to continue an item to a future meeting date, if necessary, to gain additional information or to allow an applicant the opportunity to address concerns raised by the DRB regarding a project's consistency with the provisions of the Design Review Ordinance.

### **Step 6 – Appeal Period**

The decision of the Design Review Board is final unless a written appeal is filed with the City Clerk, accompanied with a processing fee, within ten (10) working days from the date of notice of the action taken on the application. An approved permit shall not be valid until proper noticing and the 10-day appeal period has expired. The appeal is then forwarded to the City Council, which determines at the *Initial Consideration* whether to reject the appeal, thereby upholding the Design Review Board's decision, or to set the matter for a subsequent date for a new (*de novo*) public hearing review. If a *de novo* public hearing is set by the City Council, an additional fee will be required.

### **Step 7 – Permit Expiration/Modifications to Plans**

Any Design Review permit granted by the Design Review Board, City Council or Planning Director will become null and void if not exercised and "vested" within the time specified in the permit, or if no date is specified, within three (3) years from the date of approval of the permit or final action on the application.

Projects approved through the Design Review process are subject to construction phase inspections by staff to confirm compliance with approved plans. Changes made to plans after Design Review approval may require further review by either staff or the Design Review Board. Please refer to a separate handout *Guide to Project Processing* to review the steps to be taken after receiving approval from the Design Review Board.

### **APPLICATIONS AVAILABLE FOR PUBLIC REVIEW/REPRODUCTION**

A submitted application is a matter of public record. With certain exceptions, any portion of the application may be reproduced and distributed to City staff, to other discretionary bodies, or to the general public for use in reviewing the project proposal. The noted exception involves project plans. Architectural drawings are protected by copyright laws and are, therefore, subject to a separate set of limitations regarding their reproduction. In short, the copyright protection requires that, prior to releasing plans for reproduction, the party interested in receiving the duplication must provide staff with 1) written permission from the architect or draftsman who prepared the plans; 2) written permission from the applicant; and 3) an affidavit that the reproductions will be used solely for purpose of application review. A separate handout is available for the required affidavit.

### **APPLICATIONS FOR SIGNS**

Depending on the type of sign proposed, a separate review process may be available for a proposed sign. Please refer to City handout entitled: Administrative Sign Review (ASR) Process.

### **ADDITIONAL INFORMATION**

These guidelines pertain only to the City of Del Mar Design Review process. A development proposal may require other separate City permits or authorizations such as a Tree Removal Permit, a Variance or an Encroachment Permit for work within a public right-of-way. Please contact staff for further information.