



## **Self-Certification Audit and Appeal Process**

**BUILDING DIVISION**

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### **Purpose**

All self-certified projects are subject to audit by Planning & Development Services (PDS) to determine if the plans and/or projects are in compliance with the requirements of the County of San Diego Amended Building Code, Zoning Ordinance, and other ordinances & codes adopted or followed by the County of San Diego. The audit will also measure the efficiency of the Self-Certification Program. The audits may be conducted prior to the issuance of the permit or after the issuance of the permit. There are two types of audits: random and automatic. Audit review will be one to two day review.

### **Random Audit Process**

PDS will perform audits on randomly selected projects that are allowed in the Self-Certification Program. The random audits may be conducted if:

1. In any given month, a Self-Certified Professional has had four or more projects accepted for Self-Certification by PDS and none of those projects has been audited by PDS;
2. Within the preceding 12 months, no project submitted by a Self-Certified Professional, and accepted for Self-Certification by PDS, has been audited by PDS;
3. A Self-Certified Professional has failed any audit within three years; or
4. A field inspection conducted by PDS finds that the plans permitted under the Self-Certification permit program are not in compliance with the requirements of the County of San Diego Amended Building Code, Zoning Ordinance, and other ordinances & codes adopted or followed by the County of San Diego.

### **Automatic Audit Process**

PDS will perform audits on the first submittal of all professionals in the program.

### **Review Criteria**

Each self-certified project selected for an audit, whether random or automatic, will be audited for compliance with the County of San Diego Amended Building Code, Zoning Ordinance, and other ordinances & codes adopted or followed by the County of San Diego along with all other applicable codes, supplements, amendments, ordinances or standards. The auditor for each discipline will complete the review in accordance with the scoring system described in the "Self-Certification Program Auditing and Appeal Procedures."

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**Important Note:** Fire construction plan review is not included in the Self-Certification Program. Separate review, permits, and inspections must be completed for compliance to the California Fire Code directly through the responsible Fire Authority.

### **Scoring (Evaluation) System**

The audit system includes the following details and procedures (evaluation measures):

1. For each applicable plan review discipline, review for relevance and applicability of all plan review corrections entered by the applicable auditor;
2. For each applicable plan review discipline, group by subject matter, all building code violations identified in such plan review corrections to eliminate repetitive comments addressing essentially the same building code violation;
3. For each applicable plan review discipline, and except as otherwise provided, assign a point value of "1" to each such subject-matter group into which such plan review corrections have been categorized;
4. For each applicable plan review discipline:
  - a. Tally the applicable point value(s) assigned to each group into which plan review corrections have been categorized to determine the numeric auditing grade for that discipline;
  - b. If such numeric auditing grade exceeds the cap on numeric auditing grades, adjust such numeric auditing grade accordingly to determine the final numeric auditing grade for that discipline; and
  - c. Enter the applicable final numeric auditing grade for such discipline on PDS's master audit spreadsheet.
5. After a final numeric auditing grade has been determined for each applicable discipline, add all such final numeric auditing grades together to determine the audited project's final cumulative auditing grade.
6. Enter the audited project's final cumulative auditing grade on PDS's master audit spreadsheet; and
7. Based on the audited project's final cumulative auditing grade, determine whether the audited project "failed" or "passed" the audit.

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### **Audit Results**

Review corrections categorized as administrative violations of the County of San Diego Amended Building Code, Zoning Ordinance, and other ordinances & codes adopted or followed by the County of San Diego along with all other applicable codes, ordinances, or standards referenced in the Review Criteria Section above shall be assigned a point value of “0” for purposes of grading an audit. Such administrative violations include, but are not limited to, the following: application-related and fee-related violations; missing engineering or architectural stamps; missing or incorrect contractor information. Notes will document the violations to identify areas that the Self-Certified Professional may need additional training and direction.

### **Audit Point System – Commercial TI:**

A point shall be scored for each building code violation. Within each applicable plan review discipline, a cap shall be set on the numeric auditing grade assigned for that discipline, as follows:

<b>Plan Review Discipline</b>	<b>Applicable Cap on Points</b>
Architecture	No limit on points
Structural	No limit on points
Electrical	8 points
Energy	3 points
Accessibility	3 points
Plumbing	5 points
Mechanical	5 points



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### **Audit Point System – Grading:**

A point shall be scored for each violation of the Zoning Ordinance, City Code or development requirements. Within each applicable plan review discipline, a cap shall be set on the numeric auditing grade assigned for that discipline, as follows:

<b>Plan Review Discipline</b>	<b>Applicable Cap on Points</b>
Site Plan	No limit on points
Civil (G&D/Storm Water)	No limit on points
Landscape	5 points
Traffic (Parking)	8 points

### **Determining Final Audit Results**

If the final cumulative audit grade is ten (10) points or more shall be deemed to have failed the audit.

### **Notification to Self-Certified Professional**

PDS shall notify the Self-Certified Professional in writing of the results of any audit conducted under these rules.

1. Notify the Self-Certified Professional and Owner of Record in writing; and
2. Identify the audit number applicable to the audited project.
3. State, for each plan review discipline auditing the project, the applicable final numeric audit grade for such discipline.
4. State the audited project's final cumulative auditing grade.
5. Provide an explanation of the Self-Certified Professional's appeal options.
6. State that if an appeal application has not been timely submitted or if the Self-Certified Professional fails to appear at a timely requested plan review meeting or an appeal hearing, the Self-Certified Professional shall be deemed to have waived his or her right to dispute the results of the audit.
7. Notify the Self-Certified Professional that all County of San Diego Amended Building Code or Zoning Ordinance violations or violations to other ordinances and codes adopted or followed by the County of San Diego identified in the plan review comments entered for such audited project must be corrected by following the directions for follow-up contained in the notification.
8. State the date by which the corrections must be submitted.

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9. Notify the Self-Certified Professional that if the corrections to the County of San Diego Amended Building Code or Zoning Ordinance and other ordinances and codes followed by the County of San Diego identified in the code correction comments have not been corrected or resolved by the date indicated on the notification, the Building Chief may, without further notice, suspend the Self-Certified Professional's Self Certification privileges until such time that such County of San Diego Amended Building Code or Zoning Ordinance and other ordinances & codes adopted or followed by the County of San Diego violations are corrected or resolved.
10. Notify the Self-Certified Professional that if it is determined that the County of San Diego Amended Building Code and/or County ordinance violation(s) identified in the plan review comments pose a threat to the public health, safety or welfare, the permit may be revoked. No occupancy shall be issued until all life safety corrections are submitted and approved.

### **Appeal Process**

If the Self-Certified Professional of an audited project disputes the results of the audit or disputes the accuracy or applicability of any code or ordinance correction comment entered in connection with such audit, the Self-Certified Professional of record has the right to call the Senior Civil Engineer to discuss and/or:

1. **Second Opinion - Plan Review Meeting**  
Request an informal meeting within two (2) weeks from audit completion/decision to review the matter with the Senior Civil Engineer and/or auditor(s). The Self-Certified Professional will indicate in writing which comments (s)he is appealing and provide justification at least three business days prior to the meeting.
2. **Administrative Review**  
File an administrative review application within two (2) weeks from Second Opinion - Plan Review Meeting completion/decision. The cost for Administrative Review is not to exceed \$350 and is filed through pre-intake meeting.
3. **Appeal to Development Advisory Board**  
If the Self-Certified Professional disputes the results of the administrative review, an appeal through a Project Issue Resolution (PIR) request must be provided in writing within ten (10) calendar days of the decision. The fee to file a PIR will depend on the required review board and is based on cost recovery for time spent by County staff. This fee would be limited to no more than \$500.

The Self-Certified Professional of an audited project shall be deemed to have waived his or her right to dispute the results of an audit if such Self-Certified Professional fails to

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submit, in the time specified above, a written request for a meeting to review the results of such audit or does not submit an administrative review request. Each step must be followed in order and cannot be skipped.

If the Self-Certified Professional submits a written request for a review meeting in a timely manner but fails to appear at such meeting, PDS may, upon a showing of good cause, reschedule such meeting. For purposes of this rule, the term “timely manner” means the date identified in the notification.

### **Appeal Results**

If, as a result of a plan review meeting, it is determined that a disputed plan review correction is accurate and applicable to the audited project such that a revision to permit is required for the project or that the results of an audit are correct, and the Self-Certified Professional agrees with such determination, such mutual understanding between the plan examiner and Self-Certified Professional shall be memorialized in writing. If the Self-Certified Professional does not agree, and would like to pursue it further, an administrative review application must be submitted within two (2) weeks of the plan review meeting.

If, as a result of a plan review meeting or an administrative review, it is determined that a disputed plan review correction is not accurate or applicable to the audited project or that the results of an audit are incorrect, the Building Chief shall inform the Self-Certified Professional in writing and, if applicable, shall resolve the matter by not requiring the Self-Certified Professional to address the particular correction(s).

If, as a result of a plan review meeting or an administrative review, a determination will change the results of an audit, the Self-Certified Professional may request that the Building Chief recalculate the final cumulative audit grade of the project. Upon receipt of such request, the Building Chief shall recalculate the final cumulative audit grade accordingly and shall notify the Self-Certified Professional in writing of the results of such recalculation.

The Self-Certified Professional’s Self-Certification privileges shall be revoked by the Building Official if:

1. The Self-Certified Professional fails three audits within a three-year period,
2. Fails to take all remedial measures within such Self-Certified Professional’s control to bring the required plans and any construction thereunder into compliance with the County of San Diego amended building code.

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