

RECOMMENDATIONS OF THE PROCESS IMPROVEMENT COMMITTEES
AS PRESENTED TO THE BOARD OF SUPERVISORS JUNE 7, 2011

ACCOUNTABILITY

Recommendation: Internal project manager assigned at time of building permit intake.

Discussion: The project manager becomes the single point of contact for all questions regarding status of the building permit. This might be a Plans Examiner or a Permit Technician. The project manager will facilitate interdepartmental meetings where necessary. The Department will look at improving the use of the Permit Tracking System to assist the project manager, including evaluating whether the initial case page can specify status of the permit.

Implementation: The first phase of this has been implemented effective May 9, 2011. The assigned plans examiner for single family dwellings and commercial projects submitted for plan review will become the project manager. This is a program that will be modified as needed to respond to customer needs and feedback. The next phase will include using the permit technicians as project managers for smaller projects and also designating an activity in our tracking system for the project manager name and contact information.

Recommendations:

- If staff, the applicant and stakeholders can collaboratively find a project that is acceptable and is consistent with adopted ordinances, plans and policies—work towards that.
- Decisions—when project is a “no”—tell the applicants as soon as that is known and offer to schedule it before decision-makers quickly.
- Empower staff to bring together all referral agencies when there are issues—don’t tell applicant to deal with it themselves and don’t automatically defer to the referral agency.
- Project manager should have the power to shepherd the project across the departments.
- Act as the “quarterback”.
- Every employee should have a “sense of urgency” associated with permit processing.

Discussion: See Attached (*8 success strategies for project management*).

Implementation: This has been provided to all department staff and reinforced as the current expectation for all project managers by the Director.

CUSTOMER VS. STAKEHOLDER

Recommendation: Better define who are “stakeholders” and who are “customers”

Discussion: Through Land Use Approval - Anyone who comes to the county for help or information is a “stakeholder” - applicant, neighbors, representatives, interest groups, etc. Staff facilitates and explains the process through the adopted ordinances, plans and policies. Staff is the champion of the process—not the project. After Land Use Approval - Applicant is the “customer” now. Staff should begin to use the term “customer” during the Building Permit Process.

Implementation: Focused discussions with staff to use the term “customer” in post-land use approval interactions with applicants have been held and implementation occurred on May 23, 2011.

INTERDEPARTMENTAL COORDINATION

Recommendation: Coordinate weekly with Public Works on the plans that need to be checked

Discussion: The Department of Planning and Building creates a weekly report from the Department’s permit tracking system that itemizes new permits that have come in the previous week. The Building Division will share that report with the Development Services section of the Public Works Department in order to better coordinate their review of plans.

Implementation: Beginning May 9, 2011, the weekly task lists have been provided to Public Works. Revisions will be made as necessary to facilitate continued coordination.

Recommendation: Better coordinate Public Works and Planning and Building Department review of Drainage Plans

Discussion: The PIC recommended that Public Works and Planning should continue to have a discussion of whether Planning and Building should review and approve drainage plans on the property and Public Works review and approve drainage plans outside of the property. If determined to be appropriate, this would require an ordinance amendment as the current ordinance requires the County Engineer review all drainage plans. In place of amending the ordinance, the Departments could look into a different process for tracts that have tract drainage approvals, including requiring that tract drainage be designed at time of map recordation for the ultimate build-out and also evaluate having a combined checklist that would be used by both Planning and Building and Public Works for grading, drainage and erosion control review,

Implementation: Continuing discussions occurring with Public Works. A decision and implementation of one or more of the concepts discussed above to occur by July 8, 2011.

Recommendation: Mandated pre-construction meetings for defined projects

Discussion: The projects should include those with multiple agency conditions and should be based on the scope or scale of the project.

Implementation: To be implemented by July 8, 2011

Recommendation: Adopt uniform building standards between Cities and the County where it is feasible

Discussion: This is an on-going program that the County’s Chief Building Official will continue to work with the Cities Chief Building Officials to achieve when possible.

Implementation: On going

Recommendation: Modify Fire Severity Maps

Discussion: There are fire severity maps that, due to development of rural areas, are now out of date. They show areas that have been significantly developed as wildfire areas. The County is not responsible for updating these maps. This can only be done at the State level. The level of fire severity affects certain fire code requirements. The state is currently looking at a process for changing the fire severity maps in Orange County.

Implementation: Cal Fire will continue to follow that process to see what happens. The process may take a year or more.

Recommendation: Second water verification letter

Discussion: Some water purveyors are requiring an additional verification on water relating to fire prevention. Cal Fire believes that the water purveyors should already have this information and that it should not be needed from the applicant.

Implementation: Cal Fire followed up with South County water purveyors where this was an issue and it has been resolved.

Recommendation: Expedite fire plan review

Discussion: The Building Division will work with Cal Fire to determine if there are certain uses that can be exempted from fire plan review – or if a stock fire plan that has been pre-approved can be used for certain uses.

Implementation: To be implemented by July 8, 2011

Recommendation: Evaluate the use of Memorandums of Agreements (MOAs) with other departments

Discussion: In 2010, the Department entered into a MOA with the Department of Agriculture, Weights and Measures that created clarity between the two departments as to roles and responsibilities. Similar agreements could be entered into with other County Departments that would define review times, roles and other coordination matters.

Implementation: On-going

Recommendation: Ask the Board to look into Memorandums of Understanding (MOUs) with outside agencies to define review times, roles, responsibilities and other coordination matters

Discussion: The Land Use PIC requested that staff ask the Board to assess whether the County wanted to approach the various state and federal agencies that we regularly work with to enter into MOUs that would define review times, roles, responsibilities and other coordination matters.

Requested Direction: If your Board is interested in pursuing this, you could direct staff to research how this could be accomplished, which agencies would be good candidates and perhaps make initial contact with the agencies to begin discussions. Staff would then return at a future date with additional information for the Board.

TIMELINESS

Recommendation: Next Day Inspection service

Discussion: The Building PIC members emphasized that it is very important to continue to offer this service.

Implementation: Current process – no change required

Recommendation: Plan check lists

Discussion: The Building PIC members emphasized the need to continue to use and improve the county's plan check lists. They made a specific point of noting that outside plan review done by contract services is not effective and they prefer to work with in-house staff.

Implementation: Current process – no change required

Recommendation: Advertise the hours that a Plans Examiner counter person is available.

Discussion: A Plans Examiner is always available at the Permit Center counter. Each Plans Examiner is assigned a day of the week they need to be available for "counter duty". This would change that to have advertised hours where a Plans Examiner would be available to the public specifically for small over the counter type permits or other specialty knowledge (ex: Tenant Improvements, Photovoltaic Systems, etc).

Implementation: The initial roll out of this program will begin the week of June 13 starting with no more than two afternoons per week. The program will be reevaluated after three months. The hours will be posted at the counter.

Recommendation: Create a separate quicker permitting process for small nonstructural projects.

Discussion: The Building PIC recommended that the County evaluate creating a system that would separate small projects that are not structural in nature, into a faster review process. This would replace the current process where each application is reviewed in the order in which it was received.

Implementation: To be implemented by July 8, 2011

Recommendation: Identify simple Photovoltaic (PV) systems for roof top on existing residential structures that could be approved with less review and for a lesser fee.

Discussion: Implementation of this could not occur until the next fee ordinance review which would not go into effect until July 1, 2012. Currently, the Department priority processes PV systems to the greatest extent possible. Although the systems that have been submitted have not typically been roof top solar, the PIC still felt it was a good idea to identify a process for these types of permits and establish a lower fee.

Implementation: To be implemented by December 9, 2011

Recommendation: Continue to offer “e-permits” and allow for payment with credit cards. Also, evaluate the use of “e-permits” for additional project types

Discussion: By continuing to offer these services, it should encourage more people to get permits for things they might not otherwise get permits for (ex: window replacement, water heater replacement, etc.)

Implementation: Available now. Additional project types to be implemented by December 9, 2011.

Recommendation: Grading Permit Environmental Review

Discussion: Create a revised process for Grading Permit Environmental Review that could allow for a consistency finding with the Environmental Impact Report prepared for the grading ordinance where appropriate.

Implementation: Available now

Recommendation: Have a defined process for allowing concurrent processing of Land Use Permit and Building Permit at the request of the applicant

Discussion: Currently Title 19 allows for the Chief Building Official to allow for concurrent processing of a land use permit and a building permit. In a majority of cases, the land use permit must be completed before a building permit can be processed. This is because site design and project design may be modified through the land use permit process. The Building PIC recognized those risks but also wanted to create a more formal process. The process requires the applicant to sign an acknowledgement of inherent costs and risks of proceeding with concurrent processing.

Implementation: Beginning June 6, 2011, new form available for use by the public to request this option.

Recommendation: Modify inspection card.

Discussion: The inspection card is what is left on the site and is used by the County inspectors to note passed inspections. The inspection card would be changed to note clearly that Fire, Planning and Public Works final inspections need to happen before a final inspection can be granted. Also on the inspection card would be a note to look on the face of the building permit for special requirements and that the signed final inspection acts as the certificate of occupancy. As an interim measure, by May 6, 2011, staple the additional requirements that show on the face of the permit to the inspection card.

Implementation: Beginning May 9, 2011, the inspection cards have been modified

Recommendation: Clarify Planning Division final review (condition compliance)

Discussion: These inspections of building permit projects by the project planner typically occur on Wednesdays in the South County, Thursdays in the North County and Fridays for the Coastal Zone. Where appropriate, other methods of inspection (using inspection staff, photographs, etc) may be used for a Planning final review. Applicants will be notified where inspection cannot occur as scheduled. A Planner will call the

applicant before the inspection to verify what the sign off is for (ex: is the landscaping or lighting installed) and if it is ready to be checked. The request must be made at least two business days in advance. Most inspections will be performed within 5 to 10 days. There is information provided on the website about how to make the request.

Implementation: Available now

PROCESS CHANGES

Recommendation: Modify the initial completeness review letter

Discussion: Within 30 days of receipt of an application and the required fee, state law requires that a letter be sent documenting all items needed to determine an application “accepted as complete for processing”. It has been past practice to identify all needed items and to note all potential application issues as part of this letter and to not accept the application as complete for processing until all issues have been resolved. This change would be to identify in the letter what is needed to be determined to be complete for processing separately from what the issues are with the application. Applications would be accepted as complete for processing once the items needed for acceptance have been provided. Issues would continue to be worked on through the Environmental Review or if they cannot be resolved, the application would be scheduled with a recommendation for denial.

Implementation: The stock letters have been revised and are now being used by Project Managers. Training was provided on May 9 and May 12, 2011.

Recommendation: Evaluate sending the Department’s “how are we doing” questionnaire to applicants/representatives on a regular basis.

Discussion: The Department has a “how are we doing” questionnaire available both on the web page and at the Permit Center. The Department will evaluate sending the questionnaire to applicant at a regular time during the process, as an example, at time of initial completeness review letter or at time of acceptance letter

Implementation: We will begin to include the “how are we doing” questionnaire with the letter that accepts projects as complete beginning June 20, 2011.

Recommendation Modify the ordinance to require “standing” in order to appeal.

Discussion: The County’s ordinance currently does not require that an appellant participate in any manner in the hearing that leads to the initial decision that is being appealed. The ordinance also currently does not specify required information in order to submit an appeal. Staff is asking your Board to consider whether to authorize processing of ordinance amendments that would require participation in the initial hearing (either in person or in writing) and set requirements for the contents of an appeal, including specifying why a project can be appealed and requiring specific reasons from the appellant for the appeal related to the findings, decision or conditions. In addition, staff would like the Board to consider modifying the appeal timelines to match state law. This would require changing the appeal time from 14 days to 10 days.

Your Board is considering this proposal today because, unlike the processing of land use permits, the first step when considering requested changes to the general plan or land use ordinances is for your Board to determine whether to initiate new legislation to change the rules. If you authorize this request for processing, the proposed amendments will be scheduled for public hearings before the Planning Commission and your Board after the environmental review process and staff report is completed. Your action today only begins the process.

The amendments would set forth that an appeal may be made only where the appellant participated in the hearings, either orally or in writing. There have been a number of instances where individuals have not participated in the initial hearing, appealed the project and then only participated in the appeal hearing in front of the Board of Supervisors. Requiring participation in the initial hearing will assure that the Review Authority hears from all interested persons at the earliest decision point in the process.

The second part of the amendment would be to set requirements for the contents of an appeal. The requirements could include:

- The identity of the appellant and its interest in the decision.
- The specific decision appealed or the conditions appealed
- A clear complete statement of the reasons why, in the opinion of the appellant, the decision or the conditions imposed are unjustified or inappropriate because (1) there was a lack of a fair and impartial hearing; or (2) the findings, decision or conditions are not supported by the evidence; or (3) the decision was inconsistent with applicable federal, state or local laws or ordinances. This statement should have very specific reasons why the appellant disagrees with the findings of, the decision made, or the conditions imposed, by the Review Authority.

The third part of the amendment is to change the appeal timing from 14 days from the date of the action, to 10 days from the date of the action for all permit types. This would mimic state law and create consistency for all permit types.

Requested direction: If your Board is interested in pursuing these amendments, it is requested that your Board direct staff to process amendments to Titles 21, 22 and 23 of the County Code ordinances to modify the appeal section as specified in this staff report and direct staff to add this amendment to the department workload list as not budgeted to be completed as staffing and funding become available.

Recommendation: Allow for an alternate process for Environmental Impact Reports (EIRs) that uses the Request for Qualifications (RFQ) process.

Discussion: This process, different from a Request for Proposals (RFP) process, could be used where a project description is not well developed (for example, for a General Plan Amendment / Specific Plan) in order to allow development of a project description using information developed with an EIR and the consultant's expertise.

Implementation: The ability to choose to use an RFQ process exists and can be used. In addition, the Department has pre-approved consultants (based on an RFQ process) and these consultants could be used in this manner also.

Recommendation: Modify the Department's existing process relative to the processing of Environmental Impact Reports (EIR).

Discussion: The current process creates situations where an applicant does not find out about Class I impacts (impacts that cannot be mitigated) until after the Draft EIR is released. This does not allow for revisions to be developed that could be then be assessed as an alternative. The process change would be that where Class I impacts are determined by the consultant during or before the Administrative Draft EIR phase, the County will meet with the applicant (and consultant if determined to be necessary) to have a discussion of those impacts, why they were determined to be Class I and to allow the applicant to create an alternative to be reviewed in the Draft EIR that could address those impacts.

Implementation: This process is now available.

Discussion: Due to the change in the process identified above, it is important to build into the Request for Proposal (RFP) process for EIRs an optional task for one alternative with a project level review.

Implementation: To be implemented by July 8, 2011

Discussion: Request for Proposal (RFP) process for EIRs should build in regular meetings between the County, the consultant and the applicant.

Implementation: To be implemented by July 8, 2011

Discussion: Consistent with the requirements of the California Environmental Quality Act (CEQA), for projects of statewide, regional or areawide significance, the Department will hold at least one EIR scoping meeting. In addition to the noticing required by CEQA, the Department will also provide notice in the same manner as the project public hearing notice. This will also be done where a public meeting is held on a Draft EIR.

Implementation: To be implemented by July 8, 2011

Recommendation: Evaluate priority processing and reduction of fees for in-fill projects

Discussion: Having priority processing and/or lower fees available for projects located within urban areas could act to incentivize these projects that are consistent with the County's Strategic Growth Principles.

Implementation: To be implemented by October 7, 2011

PUBLIC EDUCATION

Recommendation: Modify the Department website to show process

Discussion: Have on the website a way to walk the average person through the entire building permit process, possibly using a video or interactive steps.

Implementation: To be implemented by October 7, 2011

Recommendation: Use checklists of entire process to clearly define for applicants exactly what has been done and what is left to be done.

Discussion: These checklists should be available throughout processing. Evaluate the possibility of reorganizing the Permit Tracking System list by “done” and “left-to-be-done”.

Implementation: To be implemented by July 8, 2011

Recommendation: Create a “recycling” tab or page on the Department webpage

Discussion: This will provide more information on recycling especially as it relates to “as built”, metal buildings and ag exempt buildings. It will also link to existing forms for metal buildings and ag exempt buildings.

Implementation: Information to be available on the web page by June 17, 2011.

Recommendation: Add language about discretionary nature of the process to various documents.

Discussion: Add the following language to the User's Guides for Land Use Permits and Land Divisions and to the initial completeness review letter: *Land Use Permits / Land Divisions are subject to a discretionary review process. A discretionary permit requires the review and approval of the Administrative Hearing Officer, the Subdivision Review Board, the Planning Commission or the Board of Supervisors. A discretionary permit may be approved, approved with conditions or denied. Application for a discretionary permit does not guarantee approval, whether a project complies with all applicable standards or has been recommended for approval. All decisions on discretionary permits can be appealed to the Board of Supervisors, who will then make the final decision on the project.*

Implementation: User's guides and stock letters modified and available May 6, 2011

Recommendation: Create an informational hand out on pre-application meetings —continue to evaluate making pre-application meetings mandatory for certain large projects

Discussion: A new guide to Pre-Application Meetings will be prepared to note the benefits of a pre-application meeting including information about the Planning pre-application fees being applied to the cost of processing an application if submitted within six months of the pre-application meeting. In addition, continue to review the potential for making pre-app meetings for certain projects mandatory. This is currently the case for General Plan and Ordinance Amendments.

Implementation: To be implemented by July 8, 2011

Recommendation: Create a new agency and fee pre-application checklist

Discussion: This checklist would provide contact information for all agencies that could potentially be involved in an application, including Community Services Districts, School Districts, County Departments and State and Federal Agencies. It will provide applicants with information so they can contact those agencies to determine if there are fees charged during the processing of the land use and/or building permit.

Implementation: To be implemented by July 8, 2011

CONSISTENCY

Recommendation: Checklist for Special Inspections

Discussion: Create a checklist that includes the timing of when special inspections occur and specifies who can complete the inspections.

Implementation: To be implemented by July 8, 2011

Recommendation: If there are multiple final inspections—try and have the same inspector perform all the final inspections.

Discussion: This will allow for continuity of the finals performed on the site.

Implementation: On going

Recommendation: For any inspection issues— contact the Supervising Inspectors for assistance.

Discussion: There are two Supervising Inspectors, one located in Atascadero and in San Luis Obispo. They are available to deal with special issues that might come up. In addition, the Assistant Building Official is also available.

Implementation: Available now

Top 8 Project Management Success Strategies

“Focus on the end-game”

Remember the Department’s Mission Statement¹ – the overall goal is not to complete a task, review a study or keep asking for additional studies, but rather to move projects forward to a final decision, even if that decision is a denial. Don’t let *perfect* be the enemy of *good enough* – the comments that you make should matter. Lastly, look for ways to improve the process.

“Service with a smile”

Customer service is fundamental and a top priority in this Department. We must continue to deliver high quality and highly consistent work products. This means that we live up to our commitments and communicate regularly with representatives, applicants and owners to avoid surprises and misunderstandings

“Be thorough and complete”

Identify and understand all project issues **up front** and make sure that you are comprehensive and thorough in your analysis. Second bites of the apple or “late hits” destroy your and the Department’s credibility.

“Don’t wing it”

Processing a permit is complicated – you are not expected to know the entire process off the top of your head. Use the desk manual and other written guidance that has been developed, open up the ordinances and read them and use the Interagency Coordination Committee and Management Review time on Wednesdays to help with interpretations.

“Be a quarterback”

As a project manager, you should view yourself as a “quarterback” and the consultants, specialists, district providers, other county departments and other agencies and as your “team”. Manage your case load and take full responsibility for overall work quality, customer service, schedule and, where applicable, budget. Take the lead in scheduling meetings with your “team” to work out problems and issues. Avoid passing on problems to your peers or customers for them to figure out. It is your responsibility to follow-up on issues and develop recommendations for solutions. Be a problem solver and think out of the box.

“Don’t procrastinate...plan ahead”

Look ahead and plan accordingly. Deadlines are important and critical --- customers appreciate timelines and responsiveness --- DON'T BE LATE. Communicate expected turnaround times with your team and ensure that everyone lives up to the commitments that are made. For projects with long range deadlines, set reasonable timelines and goals and then strive to over deliver.

“Bad news doesn’t get better with time”

Give the customer the opportunity to resolve major project issues, but know when to pull the plug. If there is no feasible option to resolve a major project issue, elevate to management for a possible recommendation for denial.

“Document, document, document”

Document all decisions, action items and meetings. When you use email, pdf the email and put it in Tidemark or the Virtual Project Folder (as appropriate). You never know when you will need to revisit the issue.

¹ "Promoting the wise use of land / Helping to build great communities"