



**BOARD OF SUPERVISORS  
AGENDA LETTER**

Agenda Number:

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Planning & Development  
Department No.: 053  
For Agenda Of: 9/25/2007  
Placement: Administrative  
Estimate Time: 45 minutes on 10/16/07  
Continued Item: NO  
If Yes, date from:  
Vote Required: Majority

**TO:** Board of Supervisors  
**FROM:** Department Director(s) John Baker (805.568.2085)  
Contact Info: Dianne Black, Director of Development Services (568.2086)  
**SUBJECT: Process Improvement Update**

**County Counsel Concurrence:**

As to form:  Yes  No  N/A

**Auditor-Controller Concurrence:**

As to form:  Yes  No  N/A

**Other Concurrence: N/A**

As to form:  Yes  No  N/A

**Recommended Action(s):**

That the Board of Supervisors set a hearing on October 16, 2007 to :

1. Receive a status report on the Planning and Development Department's Process Improvement efforts; and
2. Provide direction to staff as appropriate.

**Summary:**

Since the inception of the County's Process Improvement effort in 2003, staff has provided the Board with periodic updates on the progress and focus of this effort. In July 2007, two Board members requested an update, particularly with regard to the Process Improvement Oversight Committee. This report strives to provide the historical background, accomplishments to date and a summary of the Oversight Committee's role in improving the development review process while providing quality development in the County.

**Background:**

**Early Process Improvement Team (PIT) Efforts**

**Phase I – February 2003** - In response to Board, community, applicant, and staff concerns, the Planning and Development Department began a significant process improvement effort in February 2003 by forming an in-house team to analyze the ministerial permit process and develop needed

improvements. The team focused on the ministerial permit process as it encompasses by far the greatest volume of permits the department processes (approximately 6,600 permits per year) and has the highest number of homeowner applications. While the vast majority of ministerial permits are routine, a small number created the highest volume of complaints. The goals of this effort were to analyze the ministerial permit process and identify ways to improve outcomes while processing projects in a more timely and cost effective manner.

**Phase II – July 2003** - The key recommendations from the initial staff effort were taken to and accepted by the Board of Supervisors on July 22, 2003. Recommendations ranged from restructuring ordinances to providing better information to the public to effect a positive change in the quality of application submittals. The Board of Supervisors authorized initiation of a second phase, which included community members, to begin addressing substantive improvements. The second phase began by inviting a broad spectrum of community members to participate. A kick-off meeting for this second phase, led by Chairwoman Schwartz and Vice-Chairman Centeno, was held August 25, 2003 in Buellton. Over 150 individuals initially volunteered. Community members included architects and landscape architects, land use agents, attorneys, homeowner's association members, and other community group members. Four steering groups were created to direct the effort:

**Steering Group 1 - Nature of the Interaction:** This steering group focused on improving the interaction between applicants and P&D staff to make the process more collaborative and ensure it better serves the interests of the applicant and the community.

**Steering Group 2 - Permit Process:** This steering group focused on the process itself, including case intake, assignment, management, and completion in order to ensure the process proceeds more smoothly and quickly, with more predictable outcomes and well-designed projects.

**Steering Group 3 - Policies and Ordinances:** This steering group focused on clarifying five policy areas, including tree protection, grading, creek setbacks, big house criteria and height definition, as well as guiding the restructuring of the County's five zoning ordinances.

**Steering Group 4 - Training, Tools, Supervision and Management:** This steering group focused on staffing, supervision, training, communications and tools.

**PIT I and II Accomplishments** – The most significant accomplishments from these early PIT efforts were:

- **Zoning Ordinance Reformatting Project → Land Use and Development Codes** – This major effort was determined to be key in improving the permit process. The zoning ordinances, as they existed at the time, have evolved piecemeal over the past 20+ years, resulting in unintended inconsistencies and a very cumbersome structure. The reformatting project clarified, eliminated ambiguity and increased the usefulness of the ordinances. The County and Montecito LUDCs were approved by the Board on October 17, 2006. The coastal portions of the Land Use and Development Codes are pending certification by the Coastal Commission.
- **Application Submittal Checklist** – In the past, incomplete applications were often submitted, which slowed down case processing. Steering Group 2 developed an online application submittal checklist to assist applicants in assembling a thorough application for staff review

which has resulted in smoother processing of proposals. This checklist has been periodically updated as comments have been received.

- **Suggestion, Feedback and Response Process** – Steering Group 1 developed a new process for obtaining suggestions and feedback and following through on them. This process has since been updated including having a Customer Satisfaction Survey form sent to every applicant who has completed the permit process. The surveys are reviewed and any recommendations received are considered and implemented, as appropriate.
- **Public Information and Outreach** – The department has revamped its website and is constantly making improvements to it. Information about all aspects of planning in Santa Barbara County is readily available on line and at P&D's north and south county offices. In coordination with the CEO's office, automatic emails are sent to persons interested in a particular project or development in a particular area. Under the direction of Steering Group 1, a speakers' bureau has been established to speak to community groups, chambers of commerce, trade organizations and classes. A "Novice Training Video" that introduces the public to the department and its basic functions has been developed and is available to the public.
- **Grading Permit Exemption/Natural Resource Conservation Service projects** – In 2005, the Board approved permit exemptions for erosion control projects funded by the federal Natural Resources Conservation Service. The program has been extremely successful.
- **Collaborative Negotiation and Conflict Management** – In the past, the department has not always been viewed as helpful and problem-solving with applicants. To address this, all staff in the department underwent a training course in collaboration and conflict management. This training occurred in 2004. A two day Regulatory Ethics training also occurred for all staff involved in the regulatory process during the first half of this year. Finally, Public and Customer Service training has been added as a core training course for all department staff. The class is repeated twice a year for new staff.
- **Geographic team assignments** – In order to gain and utilize staff expertise about a particular geographic area, development review staff has been reassigned to geographic teams in both the North and South County. A ministerial team has also been formed in the south county to handle the volume of those permits more efficiently.

### **Process Improvement Efforts in 2005-07**

Early in 2005, at the direction of the Board, the CEO's office was asked to work with P&D to accelerate and broaden the process improvement efforts. Other process-related items were also being discussed at the Board level such as changes to the EIR procedures and creating Regional Boards of Architectural Review.

**Establishment of the Oversight Committee – February 2005** - The four PIT Steering Groups were combined into one Oversight Committee with members including applicants, neighborhood representatives, agricultural experts, Board of Supervisors' staff and P&D staff. The members were volunteers and most, if not all, had been a part of the earlier Steering Groups. At the request of the Board and CEO, the Committee met to discuss priorities and criteria and made recommendations to the Board as follows:

- **Process Improvement Criteria** – Make the process easier to navigate and more time efficient and cost effective, while maintaining quality development in Santa Barbara County.
- **Priority projects** – The five priority projects recommended by the Oversight Committee are:
  1. **Ministerial Permits** – Simplify the process for issuing staff level permits, increasing the percentage of permits that are treated as “truly ministerial” (not subject to discretion in their approval).
  2. **Appeals:** Streamline the appeal process and eliminate appeals for most ministerial permits.
  3. **Agriculture:** Streamline the process for agricultural permitting.
  4. **Customer relations:** Improve customer service and staff-public relations.
  5. **ZORP:** Complete the Zoning Ordinance Reformatting Project.

**Board Action on May 25, 2005** - At the May 25, 2005 Board meeting, the Board action was to: “Approve the criteria and five priorities for process improvement in Planning and Development and the plan for completing those priorities.” The Board letter from that meeting is attached for information.

### **Oversight Committee**

**Composition** - Since its formation in February 2005, the Oversight Committee has generally met monthly in Buellton for two-hour meetings. The participation has varied but has generally included representatives of these types of groups:

- Advocacy groups, including neighborhood watchdog and business-oriented groups
- Architects
- Home Builders Association
- Neighborhood representatives
- Permit Expeditors

The Committee’s membership and participation has fluctuated somewhat depending on issues being addressed and people’s ability to attend monthly meetings in Buellton. There is a core group of about fifteen people, virtually all of whom were on Steering Committees and have been involved in improving the process since its inception in 2003.

On two occasions, the Committee actively sought broader representation, targeting those representing neighborhood issues or environmental groups, and has not been able to expand participation in that area. Regardless, the Committee members are knowledgeable about the political realities of suggesting changes to the review process and their recommendations have been largely accepted by the Planning Commissions and Board of Supervisors. The Oversight Committee experimented with a video-linked meeting in the hopes of expanding participation, but the meeting was not as productive as a meeting where all the participants are in the same physical location.

**Structure of the Oversight Committee** – The Committee is not a Brown Act Committee as it is advisory to staff and discussion items come forward based on consensus at a meeting, generally not formal votes. Agendas are readily available and are distributed to over fifty people as well as anyone requesting notice prior to each meeting. All meetings are open to the public and information about the Committee is on the County's and P&D's websites (<http://www.sbcountyplanning.org/PIT/index.cfm>), including when the meetings occur (4<sup>th</sup> Thursday of each month), minutes from previous meetings, Process Improvement Update newsletters, etc.

**Committee Process** – The Oversight Committee both generates ideas for process improvements as well as serving as a sounding board for process improvement ideas that come from a variety of sources including the Planning Commission, staff and the public. The Committee follows a process that includes general discussion of an idea including data and other information needs to evaluate an idea further. Staff provides the data and a second level of discussion occurs where the issues and possible approaches to an issue are narrowed further.

Once the Oversight Committee has thoroughly discussed an issue, generally a work session is held with the Planning Commissions at a public hearing to discuss the pros and cons of the issue under discussion. Once the Planning Commissions have given some direction, the item returns to the Oversight Committee for further refinement and, if appropriate, ordinance or implementing language is developed. Most issues that originate or are discussed by the Committee are reviewed at several Planning Commission meetings before being forwarded to the Board for consideration.

The Board of Supervisors receives recommendations from staff, the two Planning Commissions and the Oversight Committee. In its two years of existence, the Oversight Committee's recommendations have generally been in synch with those of staff and the two Planning Commissions.

**Costs of the Committee and Process Improvement Effort** – Process improvement efforts are a part of the department's routine operations, and are supported by the work of many department staff. Staff involved in this effort includes the Director of Development Services, a Planner III responsible for the preparation of ordinance amendments, select staff from Building and Safety and Development Review Divisions from the North and South County offices, mapping and support staff. Staffing of the Oversight Committee and related process improvement work is supported by a consultant contract with Pat Saley. The consultant costs have averaged about \$40,000 per year since 2005.

**Timeframe for Committee** – When the Board endorsed the criteria and five priorities in May 2005, there was no specific timeframe for accomplishing the improvements to the development review process envisioned. All good agencies continually improve their procedures and how they do business. Process improvement is an ongoing effort of Planning & Development. The Oversight Committee has played a valuable role as a sounding board and generator of new ideas that have resulted in positive improvements to the process.

## **Process Improvement Accomplishments**

1. **New Zoning Clearance process** – In October 2005, the Board approved a new Zoning Clearance process. A Land Use Permit (LUP) is required for most projects, including those that have recently gone through the discretionary process as part of a larger subdivision or development. The follow-up LUP requires noticing and has the potential to be appealed. The new Zoning Clearance process requires the same submittal material and staff review as

a LUP, but does not require noticing nor can it be appealed. There are four categories of projects that now require follow-up Zoning Clearances instead of LUPs, unless a Substantial Conformity Determination is made in which case a LUP is required. These types of projects are:

- New homes in tracts approved since January 1, 1990
  - Applications following Conditional Use Permits
  - Applications follow Development Permits
  - Projects in the Orcutt Community Plan area assuming they meet criteria based on the plan.
2. **Revised appeal process** – Previously, appeals could only be filed fairly late in the process after an applicant had invested a lot of time and money in a project. For example, a Board of Architectural Review decision could not be appealed until after final approval when working drawings had been prepared and often a contractor hired. The revisions to the appeal process have moved the time when a project can be appealed up earlier in the process. In the BAR example, the appeal must be filed after preliminary approval but before working drawings are prepared, at a point when an applicant is much more flexible in terms of addressing the reason for the appeal. The other clarifications relate to who can appeal and the grounds for appeal.
  3. **Improved noticing for Land Use Permits** – In February 2006, the Board approved changes to the LUP noticing procedures. Previously, notices were required to be posted on a site after project approval which meant that an appeal would be filed after the working drawings were prepared. The new LUP noticing procedures provide for earlier mailed notice to adjacent property owners upon application submittal, allowing neighbors to receive notice much earlier in the process before a lot of time and money has been spent on drawings. The earlier noticing is designed to provide ample opportunity to resolve issues much earlier when an applicant is more willing to alter the plans based on neighbor input. There are two levels of notice (adjacent properties and those within 300') depending on the type of project.
  4. **Revised Coastal Review Process** - With the support of the Coastal Commission staff, two changes to the Coastal Development Permit review process have been approved by the Board and are pending certification before the Coastal Commission. The first relates to the County's issuance of Coastal Development Permits following discretionary projects. Because the County uses a Coastal Development Permit as the clearance to construct the discretionary project, a second set of appeals is possible for those projects. The Board approved changes to move the CDP approval up to coincide with the discretionary approval, thereby setting up just one appeal process earlier in the process. The second change relates to Coastal Development Permits in the Appeals Jurisdiction. The Coastal Commission Administrative Regulations allow for a waived public hearing process for minor projects located in the Appeals Jurisdiction. Public notice to neighbors is provided and, if no one requests a public hearing, the hearing is waived. This process already applies to projects heard by the County's Zoning Administrator and now applies to those projects in the jurisdiction of the Montecito Planning Commission.

5. **Land Use and Development Codes** - Adopted LUDC for the County and Montecito areas to clarify and standardize the content and organization of the zoning ordinances. Approval of the Coastal Zone portion is pending certification at the Coastal Commission.

### **Current Oversight Committee efforts**

1. **Additional noticing improvements**, e.g., clarity of notices regarding what's proposed, how to get involved, where additional information is available, what other approvals are required, etc.
2. **Shift of some small LUPs to Zoning Clearance** – Analysis of LUP appeal data has shown that certain categories of projects are rarely, if ever, appealed indicating that they do not raise neighborhood issues. A good example of this is one-story additions to existing one-story homes where all ordinance requirements (setbacks, parking, etc.) are met.
3. **Shift of some small agriculture-related permits to Zoning Clearance** – Staff and the Committee are studying the data relating to the number and types of ag-related permits that again rarely, if ever, get appealed. An example small animal enclosures, entrance gate posts and cross members, and agricultural accessory buildings such as small barns.
4. **Shift level of review for some applications** – There are some projects, e.g., walls and hedges of a certain height, road naming, sign plans, etc., that require Conditional Use Permits and seldom raise neighborhood issues or are appealed. The Committee has discussed shifting these types of approvals from a Conditional Use Permit before either the Montecito Planning Commission or Zoning Administrator to a Land Use Permit. The LUP would still require noticing and posting of the site and an appeal would be possible.
5. **Other agriculture-related permits** – The Committee had been working with County staff and the Agricultural Advisory Committee on possible changes to the Development Plan ordinance relating to ag-zoned parcels but that work is on hold pending other ag-related policy issues being resolved.

### **PIT/Oversight Committee Issues**

“Process Improvement” is generally viewed to be a series of actions taken to identify, analyze and improve existing processes within an organization to meet goals and objectives. Staff has been working with the public and decision-makers since 2003 to improve the review process while maintaining its integrity. There are several aspects of the existing Oversight Committee that could be discussed to improve the Process Improvement effort in general and the Committee’s effectiveness in particular. These include:

1. **Overview Committee membership and participation** – The Committee has tried to broaden participation, particularly to bring in more of a neighborhood perspective to our discussions. We have reached out to the community and tried varying our meeting locations, dates and times, but have not been able to expand our perspectives to the degree we would like.
2. **Purview of the Committee** – The Committee focuses its discussion on matters under the purview of the Planning & Development Department. We have occasionally talked about

Process **Improvement Update**

9/25/2007

Page 8 of 8

discussing process issues related to other departments that are involved in the development review process, e.g., Public Works and the Fire Department.

- 3. Time limit or sunset date** – The Oversight Committee has worked for 2½ years to address issues associated with the existing review process to make it more efficient pursuant to the Board-approved criteria: *Make the process easier to navigate and more time efficient and cost effective, while maintaining quality development in Santa Barbara County.* Some people may believe that the Committee has largely fulfilled its charge relating to the five priorities (Ministerial Permits, Appeals, Agricultural permits, Customer Serving and ZORP) whereas others believe there are many issues that could still be addressed.

**Performance Measures:**

**Fiscal and Facilities Impacts:**

Budgeted:  Yes     No

**Fiscal Analysis:**

The cost to prepare this report is included in the Department's FY 2007-2008 budget in the Administration division, page D-280.

**Staffing Impact(s):**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

**Attachments:**

Board letter re "Process Improvement Plan for P&D," May 24, 2005

**Authored by:**

Dianne Meester Black, Director of Development Services  
Pat Saley, Process Improvement Coordinator

**cc:**