

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

## Agenda Number:

**Prepared on:** May 12, 2005  
**Department Name:** Planning and Development  
**Department No.:** 053  
**Agenda Date:** May 24, 2005  
**Placement:** Departmental  
**Estimated Time:** 90 minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Document File Name:**

---

**TO:** Board of Supervisors

**FROM:** Michael Brown, County Executive Director  
Dianne Meester, Assistant Director

**STAFF CONTACT:** Terri Maus-Nisich, Assistant County Executive 568-3412  
Dianne Meester, Assistant Director 568-2086

**SUBJECT:** Process Improvement Plan for Planning and Development

---

## **Recommendations:**

That the Board of Supervisors:

1. Receive a status report on the Planning and Development process improvement efforts; and
2. Approve the criteria and five priorities for process improvement in Planning and Development and the plan for completing those priorities.

## **Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with: Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community; Goal No. 4: A Community that is Economically Vital and Sustainable; and Goal No. 5: A High Quality of Life for All Residents.

## **Executive Summary:**

Planning and Development, in concert with members of the community, have been working on specific process improvement efforts for the past two years. On March 1, 2005, the department brought forward to your Board recommendations for changing the permit appeal process. At that hearing, your Board requested that the County Executive Office work with the department to

develop criteria and a plan for future process improvement efforts. The purpose of this hearing is to present the results of that effort.

**Criteria:** The proposed criteria for any process improvement efforts undertaken by the department are to make the process easier to navigate, and more time efficient and cost effective, while maintaining quality in development. These criteria were developed in conjunction with the County Executive Office and the Oversight Committee (comprised of community representatives and staff as shown in Attachment 1).

**Priorities:** The following five priorities were selected by the Oversight Committee and agreed to by the County Executive Office. We are recommending these priorities for the first phase of this current effort as they address the most significant issues raised about the P&D permitting process. These items all meet the above criteria.

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.

This Board Agenda Report will focus on the first four items in the above list, with the first two items combined into one integrated process improvement effort (ministerial permits and appeals). The Zoning Ordinance Reformatting Project is briefly discussed under “Other Process Improvement Efforts” later in this report. This project is proceeding separately and will be presented to the Board in July of this year.

### **Background:**

The department has been involved in an intensive process improvement effort for two years. The following outlines the process to date:

- March – June 2003: Internal staff effort with six line staff and a facilitator reviewing departmental processes (focused on ministerial or staff level permits) to identify areas for improvement.
- July 22, 2003: Presentation to the Board of Supervisors on improvement recommendations. Primary among the recommendations was involvement of representatives with expertise and interest in these areas. The Board authorized initiation of an extensive public involvement process. Recommendations included the reformatting of the County zoning ordinances (I, II, III, IV and V) into one streamlined, easy to understand ordinance. The Board requested that an RFP be prepared for assistance in preparation of the Zoning Ordinance Reformat Project (ZORP). Substantive changes to the ordinances were not authorized.

- August 25, 2003: Kick-off meeting of public participation in process improvement effort hosted in Buellton by Supervisors Schwartz (then Chair of the Board) and Centeno (then Vice-Chair). Attendees of that meeting, as well as other members of the community and P&D staff, were formed into of four Steering Groups with the following goals:
  - Steering Group 1 - Nature of the Interaction – to improve the interaction between applicants and P&D to make the process more collaborative and ensure it better serves the interests of both the applicant and our community;
  - Steering Group 2 - Permit Process - to upgrade case intake, assignment, management, and completion in order to ensure the process proceeds more smoothly and quickly, with more predictable outcomes. Other efforts include improving the Board of Architectural Review (BAR) process, permit streamlining and appeals, and improving inter-departmental coordination;
  - Steering Group 3 - Policies and Zoning Ordinances – to upgrade the structure and format of the zoning ordinances, to eliminate inconsistencies and make the ordinances more user friendly; to improve and clarify policies and interpretations in key areas (grading, stream setbacks, tree protection, house size, and height); and
  - Steering Group 4 - Training, Tools, Supervision and Management - to enhance staffing, supervision, training, and tools.
- September 23, 2003: Report to Board on process improvement efforts, including the purpose, criteria and work efforts of the four steering groups, and authorization to proceed with Request for Proposal for Zoning Ordinance Reformatting Project.
- November 4, 2003: Board approved contract for a process improvement facilitator.
- December 2, 2003: Board approved contract for Zoning Ordinance Reformat Project.
- February 2004: All Steering Group meeting with Supervisors Schwartz and Centeno.
- Through 2004: Board hearings on Zoning Ordinance Reformatting Project and Grading Standards; Briefing memos to the Board on the status of efforts; Steering Groups meeting monthly and focus work groups meeting more frequently to work on specific process improvement projects as shown in Tables 1 and 2 below.
- February 2005: Four Steering Groups combined into Oversight Committee (Attachment 1 for membership) that has met three times: Feb. 22, Mar. 30, and May 4, 2005.
- February – March 1, 2005: Board discussion of proposed changes to the existing appeals process. The Board continued the appeals discussion indefinitely and requested that the County Executive Office work with the department to develop criteria and a plan for future process improvement efforts. The Department withdrew a scheduled presentation

on administrative guidelines for the interpretation of tree protection policies prior to the hearing. Most process improvement efforts were put on hold.

**Table 1**  
**Process Improvement Projects Completed**

<b>Project</b>	<b>Purpose</b>	<b>Status</b>
<b><i>Ministerial Permits and Appeals</i></b>		
▪ Grading/Slopes/ Drainage	Provide guidelines for consistency & flexibility in terms of grading & slope policies.	In use & being monitored
▪ Website Upgrade & Info Management	Update of P&D and its divisions' websites with most up-to-date info	In use & being monitored regularly
▪ Application Submittal Checklist	Provide for more complete applications & faster processing	In use
▪ Assignment Queue	Provide for faster processing of projects based on staff time availability	In use
<b><i>Customer Relations</i></b>		
▪ Notice Training Video for Public	Help people new to the process understand the basics.	Produced and being shown on GATV
▪ Suggestion, Feedback & Response Process	Provide systematic way to get feedback from customers	Posted on P&D websites; Will be modified and promoted more in future
▪ Collaboration, Negotiation & Conflict Management Training	Improve staff collaboration & problem-solving skills	Initial staff training in February. Follow-up training TBD

**Table 2**  
**Process Improvement Projects Underway**

<b>Project</b>	<b>Purpose</b>	<b>Status</b>
<b><i>Ministerial Permits and Appeals</i></b>		
▪ Appeal Process	Process to resolve potential issues through the permitting process & have fewer appeals	Went to Board on March 1 <sup>st</sup> , 2005; On hold.
▪ Big Houses	Address compatibility of proposed large houses in existing neighborhoods in urban areas	Draft complete; On hold.
▪ Building Height	Standardize & clarify definition of building height	Draft complete; Being reviewed by BARs & Planning Commissions
▪ Creek/Riparian Setbacks ("Stream Team")	Establish criteria for adjusting creek buffers in different areas to assist in rapid policy consistency findings	Committee is drafting criteria
▪ Urban Tree Protection	Provide guidelines for consistency & flexibility in application of urban tree	Draft complete; On hold.

Project	Purpose	Status
	policies	
<b><i>Agricultural Permits and Process</i></b>		
<ul style="list-style-type: none"> <li>▪ NRCS &amp; County agricultural permits</li> </ul>	Exempt NRCS federal cost-sharing projects from P&D permits.	Ordinance amendments to Chapter 14-6, -8 and -10 and CEQA exemption drafted; On hold.
<b><i>Customer Relations</i></b>		
<ul style="list-style-type: none"> <li>▪ Collaborative Permit Review</li> </ul>	Improve permit review process	Draft implementation plan being written; On hold.
<ul style="list-style-type: none"> <li>▪ Continuous Improvement</li> </ul>	Work to change the department's "culture" including developing norms.	Internal discussion ongoing
<ul style="list-style-type: none"> <li>▪ Expert System/Decision Tree</li> </ul>	Next generation of Electronic Application tools to add all digital info.	On hold.
<ul style="list-style-type: none"> <li>▪ Info Management Program</li> </ul>	Develop systems that provide management of info & data used, & facilitate internal & external data distribution.	Testing of database structure & website interface is underway

**Discussion:**

**Proposed Criteria:** On September 23, 2003, the Board reviewed the results of the initial public outreach relating to process improvement and the goals of the four Steering Groups as they began their work. As a part of that review, criteria were identified and discussed with the Board which then endorsed them as criteria for success. The original purposes and criteria for success identified for process improvement efforts included the following:

- Increase customer service and interactions in case processing;
- Reduce time and cost to applicants;
- Improve consistency between planners, north and south offices, and among projects;
- Make the process understandable and predictable;
- Improve the morale and retention of staff; and
- Increase the quality of outcome of the review process.

Once the Oversight Committee was formed in early 2005, one of the first things they discussed was criteria for the current process improvement effort. The Committee endorsed the following criteria as mandatory for any process improvement effort undertaken by the department, particularly for small projects such as single family homes and family farms:

Make the process easier to navigate, and more time efficient and cost effective, while maintaining quality in development.

The Committee and staff are looking forward to Board input on these criteria prior to continuing their process improvement efforts.

**Priorities:** The Oversight Committee reviewed all process improvements projects underway and found that the following five efforts best meet the criteria and would have the greatest potential for improving the department. The verbatim notes from the May 4<sup>th</sup> discussion are included in Attachment 2.

1 & 2. **Ministerial Permits & Appeals:** The goal is to simplify the process for issuing staff level permits, increasing the percentage of permits that are considered ministerial (not subject to discretion in their approval). Attachment 3 to this report shows the existing review process for a ministerial permit for a new single family dwelling. Currently, about 50% of all Land Use Permits are approved “over the counter.” These are projects that are clearly consistent with ordinances and Comprehensive Plan policies. However, all Land Use Permits must be noticed and a ten-day appeal period must run before the permit is issued. About 50% of all Land Use Permits are assigned to a planner for more in-depth review. These are projects that are either located on more constrained lots, their design isn’t clearly consistent with Community and Comprehensive Plan policies, and/or Board of Architectural Review approval is required.

The Oversight Committee endorsed the goal of 80% of the Land Use Permits being issued “over the counter,” i.e., like a true ministerial permit without noticing or appeal. There are four aspects to this process improvement effort as follows:

- **New homes in tracts (Attachment 4)** - Attachment 4 outlines a simplified review for new homes proposed in an approved tract assuming all relevant conditions from the subdivision approval are met (without noticing or appeal); and
- **Ministerial projects that meet standards (Attachment 5)** - Attachment 5 shows the proposed ministerial process for single family dwellings that the Committee endorsed and staff recommends be pursued. This process calls for black and white standards or criteria to be developed in a checklist form. If a permit request meets the criteria, permits are issued without notice or appeal. This process provides a path for applicants to exceed the standards if they desire, thereby involving noticing and the potential for an appeal. We estimate that about 20% of the LUP requests would invoke this more involved process due to the applicant’s choice, not staff’s.
- **Pilot Program in Orcutt** - Staff recommends that the necessary ordinance amendments incorporating clear standards and criteria be developed for a specific area as a pilot program, and that the pilot begin in the Orcutt area as it has a considerable number of tracts and significant single family home permit activity. Assuming the pilot program is successful, staff would recommend adopting standards and criteria for other communities based on Comprehensive Plan policies and each community’s plan.

- **Appeals** - As a part of the streamlining of the process, staff believes that the PIT Appeal Group's recommendations regarding appeals should be considered. For projects that require noticing, that would occur earlier in the process, e.g., after preliminary BAR approval. If an appeal is filed on the BAR approval, the issues are worked out earlier in the process before significant time and money has been spent on detailed construction drawings. The Oversight Committee also recommends developing criteria that clearly outlines the basis for a valid appeal.

Staff believes these recommendations to simplify and shorten the ministerial process would make the process more streamlined and less costly for about 80% of all staff-level approvals (with no notice and appeal). For the other 20% who choose to exceed the standards, the appeal process would be simplified and any appeal would be resolved earlier in the process before considerable time and money have been spent on architectural drawings. The quality of development would be maintained because the standards by which the projects are evaluated would be based on existing County policies.

3. **Agriculture:** The goal is to streamline the agricultural permitting process, especially for family farms. One process improvement effort that is currently underway is exempting NRCS federal cost-sharing projects from County permit requirements. Farmers have complained that the County permit process is a deterrent to pursuing these funds and funds have been forfeited. By exempting these projects from permit requirements, more NRCS cost-sharing projects will be pursued, which will help the farmers in the County who have eligible projects.

As a part of the ministerial permit and appeals ordinance amendments described above, P&D proposes to develop standards or criteria for typical agricultural projects. These standards or criteria would allow them to either be exempt from the Land Use Permit requirement, thereby saving time and money for farmers, or remove the noticing and appeal requirements, thereby streamlining the approval of projects.

There are several important items suggested by the Oversight Committee and the PIT Agricultural Group, which involve other County departments, major policy issues, and/or other local, state and federal agencies. These include:

- a. Review taxation and estate planning issues for family farms;
- b. Establish "truth in zoning" by amending Land Use Development Policy 2;
- c. Exempt more agricultural projects from CEQA and the Grading and Zoning Ordinances;
- d. Adopt an organizational structure similar to San Luis Obispo County's with a planner in the Commissioner's Office to interface on agricultural issues;
- e. Streamline the process or provide for exemptions from P&D permits where adequate review is occurring by state and federal agencies; and
- f. Revise the greenhouse square footage standards and remove the overlap with Regional Water Quality Control Board requirements.

The proposed Work Plan does not include these items, either because they are currently being handled in another forum (e.g., Agricultural Commissioner, Agricultural Advisory Committee and/or Comprehensive Planning) or they are major policy issues that should be addressed in the Comprehensive Planning or Agricultural Commissioner's work program and budget. These are important issues, but the focus of these process improvement efforts is to streamline the P&D permit process for small projects. At this time, we are not recommending that they be a part of this initial Work Plan.

The agricultural-related process improvements recommended in the Work Plan will assist farmers, especially those operating family farms. Farmers would be more willing to pursue NRCS federal cost-sharing projects, federal funds would not be forfeited, and farmers would be able to operate their farms with fewer permit requirements, costs and time delays.

- 3. Customer relations:** The goal is to improve customer service and staff-public relations. One work program item is providing cost and time estimates for ministerial permits at the beginning of the process, thereby minimizing unexpected costs and delays that some applicants experience. Staff is also proposing to provide information on the County's website and by automatic email notification about the status of individual projects that will help applicants and those interested in a particular project.

There is a lot of interest in improving the "culture" of the department to make it more customer-friendly. Implementing the ministerial and appeals recommendations, along with continued staff training, will help improve customer relations. Increased use of the suggestion and feedback process already in place will also result in improved customer relations as adjustments are made based on comments received.

With improved customer relations, there would be fewer inquiries and complaints about delays, costs and staff, and customer feedback should be more constructive. Staff retention would also be increased because of better morale.

- 4. ZORP:** Complete the Zoning Ordinance Reformatting Project. This is discussed in more detail under "Other Process Improvement Efforts" below. This item is proposed to be heard separately by the Board on July 12<sup>th</sup>.

**Work Plan:** Table 3 on the next page outlines the Work Plan developed for each of the priorities with the assistance of the Oversight Committee and the Executive Committee (Chair and Vice-Chair of the Oversight Committee and County Executive Staff). The Work Plan focuses on the next 12 months and those items that help single family homeowners and local farmers are primarily or solely in the purview of Planning & Development.



**Table 3**  
**Proposed Work Plan - P&D Process Improvement**  
**May 2005 – May 2006**

Work Task	Process	Staffing	Timeline
<b><i>Ministerial Permits and Appeals</i></b>			
<ul style="list-style-type: none"> <li>▪ <u>New homes in approved tracts (Attachment 4) - Simplify process for new homes proposed pursuant to approved tract maps (remove noticing &amp; appeal)</u></li> </ul>	<ul style="list-style-type: none"> <li>▪ Oversight Committee</li> <li>▪ Planning Commission</li> <li>▪ Adoption by Board</li> </ul>	<p>Included in ministerial permit and appeal staffing outlined above.</p>	<p>Involves checklists and ordinance amendments, so would be on same timeline as above.</p>
<ul style="list-style-type: none"> <li>▪ <u>Ministerial projects that meet standards (Attachment 5) – Develop ordinance amendments for Orcutt area to incorporate standards in checklist form based on General and Community Plan policies such that projects that meet checklist would be approved in less than 1 month (without noticing &amp; appeal). Revise appeal process.</u></li> <li>▪ <u>Monitoring of pilot program in Orcutt to see effectiveness based on criteria</u></li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop standards, checklist &amp; ordinance amendments</li> <li>▪ Review by Oversight Committee</li> <li>▪ Review by Orcutt Advisory Committee</li> <li>▪ Review by Planning Commission</li> <li>▪ Adoption by Board</li> </ul>	<ul style="list-style-type: none"> <li>▪ Input from DevRev &amp; public counter staff on checklist</li> <li>▪ P&amp;D staff and County Counsel draft ordinance amendments.</li> <li>▪ Managed by P&amp;D Assistant Director with CEO input</li> <li>▪ One temporary new FTE to maintain case processing goals</li> </ul>	<ul style="list-style-type: none"> <li>▪ Draft ordinance amendments &amp; standards ready in August</li> <li>▪ Oversight Comm. review in August/Sept.</li> <li>▪ Orcutt Advisory Comm. review in October '05</li> <li>▪ PC review in November '05</li> <li>▪ Board review in Jan. 2006</li> <li>▪ Monitoring for +4 months (report in May 2006)</li> </ul>
<b><i>Agricultural Permits and Process</i></b>			
<ul style="list-style-type: none"> <li>▪ <u>Exempt NRCS federal cost-sharing projects from requiring P&amp;D approval – Staff and Agricultural group (part of PIT) are working on ordinance amendment to Chapter 14-6, -8 &amp; -10 providing exemptions for NRCS projects.</u></li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop ordinance amendments</li> <li>▪ Ag. Advisory Comm.</li> <li>▪ Planning Commission</li> <li>▪ Adoption by Board</li> </ul>	<p>Can be accomplished with existing staff</p>	<p>Draft ordinance amendments to Ag Committee by July, then to Planning Commission &amp; Board later this summer/fall.</p>
<ul style="list-style-type: none"> <li>▪ <u>Adopt agricultural standards to allow streamlined process for family farm projects that require ministerial permits – As part of ministerial permit revisions above, adopt some ag-related standards (to help meet intent of this recommendation).</u></li> </ul>	<p>Same as ministerial and appeal process outlined above with the addition of Ag Commissioner &amp; Ag. Advisory Committee.</p>	<p>Included in ministerial permit and appeal staffing outlined above, as well as Agricultural Commissioner's staff.</p>	<p>Involves standards and checklists like ministerial permits above, so same timeline as standards checklist.</p>

Work Task	Process	Staffing	Timeline
<b><i>Customer Relations</i></b>			
<ul style="list-style-type: none"> <li>▪ <u>Provide cost and time estimating forms for ministerial permits</u> – These forms are in place for discretionary projects and can be modified for use by applicants and staff.</li> </ul>	<p>The new forms could be in use within two months; Effectiveness/ accuracy would be monitored &amp; adjustments made.</p>	<p>Included in existing P&amp;D staff responsibilities.</p>	<p>Implement by end of July.</p>
<ul style="list-style-type: none"> <li>▪ <u>Info on web about status of individual projects &amp; automatic emails sent to applicants and interested parties</u> – Periodic updates of status of individual projects available on web with emails sent regularly to those interested in the project.</li> </ul>	<p>IT staff is working with Permitting staff &amp; CEO to get info on web &amp; to set up auto email system.</p>	<p>Included in existing P&amp;D, IT &amp; CEO staff responsibilities.</p>	<p>Implement by end of July.</p>
<ul style="list-style-type: none"> <li>▪ <u>Suggestion &amp; feedback forms and process</u> – While this form &amp; process exist (see Table 1), increased utilization and feedback are possible to support the process improvement efforts.</li> </ul>	<p>Work with counter, hearing support &amp; DevRev staff to increase use of forms; supervisors make priority to get feedback from applicants, etc.</p>	<p>Included in existing P&amp;D staff responsibilities.</p>	<p>Ongoing.</p>
<ul style="list-style-type: none"> <li>▪ <u>Staff hiring &amp; training to promote collaboration, etc.</u> – Continue hiring staff &amp; provide training that promotes collaboration &amp; problem-solving.</li> </ul>	<p>Make a priority for management &amp; supervisors in terms of hiring &amp; training of all staff.</p>	<p>Included in existing P&amp;D staff responsibilities.</p>	<p>Ongoing.</p>

**Other Process Improvement Efforts:** Several process improvement efforts are underway as described below. The first two of these efforts (ZORP and Height Definition) involve ordinance amendments and are substantially underway. The second two (North County BAR and EIR Procedures Review) were initiated by the Board of Supervisor and work on these is ongoing.

1. **Zoning Ordinance Reformat Project (ZORP)** – A nearly complete draft of the revised zoning ordinance has been received and reviewed by staff. Staff is obtaining input from the Planning Commissions regarding format options and proposes to return to the Board in July for a final determination on format.
2. **Height Definition Ordinance Amendment** – The method of measuring building height has been problematic under the definition in the ordinance. Staff and local architects have developed a revised definition which is clear and has a predictable result. Consideration of the ordinance amendments are scheduled for review by the Commissions in early summer.
3. **North County BAR** – On April 26, 2005, the Board authorized the creation of a North County Board of Architectural Review with the start up expected in October 2005. The new BAR will have the same guidelines and procedures as the County BAR. Staff will return to the Board with proposed boundaries and ordinance changes.
4. **EIR Procedures Review** – The Board has asked the CEO to manage a project to identify a range of options for improving the Environmental Impact Report (EIR) procedures employed by the County. At the May 4, 2005 County Planning Commission meeting, options were debated at some length. The Montecito Planning Commission will consider this item on May 18, 2005 and the County Planning Commission is scheduled to make its recommendation to the Board on May 23, 2005. The item is scheduled for the June 21<sup>st</sup> Board meeting.

There are other process improvement efforts that were initiated in late 2003 and continue to have momentum. Some of these issues (e.g., creek and riparian setbacks) can be incorporated into the standards that would be adopted to streamline the ministerial process.

**Mandates and Service Levels:**

This effort is not mandated. Service levels are expected to increase as a result of implementation of PIT recommendations.

**Fiscal and Facilities Impacts:**

Estimated P&D staffing required for the work identified in Table 3 is approximately three (3) FTEs. P&D's recommended 05/06 budget can accommodate the required staffing (two existing full-time staff and one new temporary planner) without the need for additional general fund allocation. In order to reassign existing staff involved in development review permitting and not impact permit timelines, P&D would hire a planner temporarily to backfill staff hours. Funding sources are included in P&D's recommended 05/06 FY budget in the Permitting and Compliance program in both Development Review North and Development Review South. Additionally, funding for staff from the Administration, Building and Safety and Comprehensive Planning cost centers is available to provide support for these work objectives. There are no facilities impacts.

**Attachments:**

1. Oversight Committee members 2005
2. Oversight Committee comments and recommendations re priorities (from May 4<sup>th</sup> meeting)
3. Current Single Family Dwelling Ministerial Process
4. Proposed Review Process for Homes Approved under a Tract Map
5. Proposed Single Family Dwelling Ministerial Process