

# Planning and Building Task Force

Recommendations for the  
Improvement of the Division and  
its Service to the Public

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## **Introduction**

The Planning and Building Task Force was created by the San Mateo County Board of Supervisors to address the concerns of a number of users of the system when fees were increased in June 2004. These users shared their experiences over delays, errors and other problems with the San Mateo County Planning and Building Division as they attempted to shepherd their projects through the permit application process.

As created, the mission of the Task Force was to recommend improvements to the quality of service deliverables to those who have business before the County to: 1) assure sensible rules and regulations; 2) provide greater certainty to the process; and 3) allow for timely and efficient processing of planning and building applications.

The Task Force is made up of two representatives of the Board of Supervisors, staff from the Planning and Building Division, and representatives from the community at large (including developers, homeowners, the financial community and an architect). This group of individuals has dedicated a considerable amount of their time toward preparing a series of recommendations that are now being forwarded to the San Mateo County Board of Supervisors, the Director of the Environmental Services Agency and the new head of the Planning and Building Division.

This report recognizes the important role the Planning and Building Division plays in the lives of the residents of San Mateo County. As a regulatory agency, the Division not only controls the proper construction of homes, and their appropriate placement in the environment, but (and more importantly) ensures the health, safety, and well-being of all those who build or improve their homes or businesses in the unincorporated portions of the County.

We cannot emphasize enough the need for this Division to be operating at its highest potential levels, given the Division's critical mission.

## **Process**

The Planning and Building Task Force began its work in October of 2004, with a review of the Division's current planning and building permit systems.

The Task Force conducted two rounds of public outreach: one was through a letter that was sent to a randomly-selected number of current and former applicants (Please see Attachment A). This letter asked a number of questions about their experiences working with the Division. The other public outreach approach was two public meetings to allow testimony from those who had experience with the Division.

The Task Force received over sixty written responses, and nearly forty people testified at the public meetings. It is clear from these responses that the system is not working well for these individuals, which alerted the Task Force to the existence of systemic problems with the Division.

These individuals (and entities) shared concerns over the overall length of time to process a permit, the duplication of effort within the Division, the time expended in addressing concerns from outside review agencies, the difficulty in obtaining timely and accurate information on their permits, the timely manner by which any information was shared, and how complaints to the Division are addressed in a manner that provides public assurance that county rules and regulations have been followed. Additional concerns were also shared relating to the application and relevancy of some county rules and regulations to various projects.

Task Force members and staff also contacted a number of County and City Planning and Building Divisions to learn best practices and other methods that might assist this process.

Finally, the co-chairs of the Task Force met with both the line staff and Division managers to discuss their concerns and suggestions to improve the quality of service and working environment.

## Findings

The Task Force uncovered a number of significant facts about the status of the Division:

- 1. Staff levels have fallen since 2001** - In 2001, Planning had 2 Senior Planners and 11 Planners. Since that time, staff levels have fallen to a current level of 1 Senior Planner and 7 Project Planners, and one Planning Aide. (Please see attachment B).

Turnover within Planning has been heavy, with losses of 12 planners equaling a turnover of approximately 100% over this same four year period.

In Building, there have been similar, but smaller, losses in staff. In 2001, there were 15 building inspectors. Since then, staff levels have fallen to a current staff level of 12 people.

Turnover within Building has not been as dramatic as Planning, but are still substantial. 7 people have left Building, equaling a turnover of around 50% over the same four-year period.

- 2. The number of applications per planner has risen dramatically since 2001-** In 2001, each planner had on average 34 cases. By 2002, this number had risen to 59 cases, and by the end of 2004, planners had, on average over 85 cases. (Please see attachment B)

Building staff inspections have not increased since 2001 – each inspector performs between 12-15 inspections a day, the same as 2001. However, there is a large backlog of inspections that are not being completed in a timely manner, as Building staff can only make so many inspections a day.

- 3. The number of active planning applications has risen sharply since 1999 -** Although the number of actual planning applications submitted to Planning has fallen over the same time period, the number of active applications has risen over-all since 1999, from 299 to 450 at the end of 2004. Some pending applications linger within Planning for extended periods of time, and do not see completion until other more pressing work is completed.
- 4. Fees have risen by 116% since 2001-** The costs associated with development in San Mateo County are exceedingly high due to land purchase costs, labor, regulatory and other factors. Within this context, Planning and Building fees rose 6% in FY 00/01, 4% in 01/02, 5% in 02/03, 64% in 03/04, and 37% in 04/05, for a total of 116% (compounded total: 160%). The Development Review Services Program is fully funded from permit-related fees and State revenue (Williamson Act). Administration and Long Range are partially funded by the General Fund, and partially funded from collected fees. These funding changes are related to the Board of Supervisors' and County Manager's decision to make the Division self-sustaining.
- 5. Planners work on a narrow range of project types -** The vast majority of planning projects in San Mateo County are either minor permits (such as tree removal or small remodeling jobs on single-family homes), or single-family home construction projects. San Mateo County has very few commercial or industrial projects of any note, nor does it have the space for larger subdivisions. The Coastside presents planners with demanding projects in both time and complexity, but for the most part, given the realities of the types of projects being proposed for the unincorporated areas of the County, planners do not work on the same scope of projects most City planning departments face today.
- 6. Counter time greatly affects time planners can spend on permit Applications -** The counter is where potential applicants and contractors can get information about the status of their permit, review plans for their project, and work out various issues that pertain to receiving a final permit. All planners spend considerable time at the counter, and this results in

fewer hours working on staff reports and reviewing projects without interruptions.

In contrast, Building has separate staff to deal with intake and administrative functions at the counter.

7. **Zoning codes have not been updated in many years** - The County's zoning ordinances were written in the early 1950's and have not been updated in any significant way since that time. Additionally, a number of new sections have been added piecemeal to the code as responses to specific neighborhood concerns without attempting to connect them in a meaningful way to the existing code sections, creating a cumbersome document for both planners and applicants.
8. **Review time for permits by outside agencies is often longer than Reasonable** - Many outside agencies review permit applications; these include advisory councils, fire departments, sewer and water agencies, and other departments within San Mateo County. These reviews have, in recent years, slowed down the permit approval process for some projects significantly.

The Task Force believes that these findings show the root causes for the systemic problems within the Division.

## **Task Force Conclusions**

With these findings in mind, a number of conclusions emerged about the status of the Division:

1. **Division staffed by talented employees** - It is clear that San Mateo County is extremely fortunate to have a dedicated and talented workforce in the Planning and Building Division. They do a professional job given the extreme circumstances and pressures in the Division.
2. **Staff workloads are too high** - On average, planners work on approximately 85 projects at any one time, with some workloads as high as 100 projects for an individual planner. An informal comparison with other similarly-sized jurisdictions in the Bay Area, as well as conversations with other Planning Directors/Community Development Directors has shown that an average of 30-40 cases per planner is an acceptable workload level.

The Building staff confronts similar workloads. The single plan checker within the County has over 45 project plans pending at any one time, while Building itself has over 450 pending projects. The Santa Clara County

Building Department has approximately 120 projects for review, and three plan checkers reviewing approximately 35 plans.

3. **Planning staff continues to leave the Division** - As workloads have grown without remedy, many planners have chosen to leave the Division to work for other public agencies that have more manageable caseloads, or to private firms where the work may be more challenging. There are also very few opportunities for advancement within the Division.
4. **Morale is falling** - With the increased workload and fewer planners to accomplish the work, morale within Planning has fallen dramatically. Planners simply do not have enough time during the day to finish their work.
5. **Lack of time certainty on permits** - As planners grapple with a larger and larger workload, the delivery of permits to the public is more difficult. Similar delays are occurring within Building.

As a result, there is no way for an applicant to know whether their applications will be completed in a timely manner. Often, the Division is unable or unwilling to attach any time to completion, and applicants are forced to wait for months (and sometimes years) for the completion or rejection of their application.

6. **Difficulty in reaching assigned planner/building official** - Given that planners and Building Section staff are inundated with work, it can be very difficult for the applicant to reach them in a timely manner to discuss the status of their permit or any questions they may have on how to move forward on their application.
7. **Lack of Information on Permit Status** - It is often difficult for applicants to get information on the status of their application. Sometimes conflicting or inaccurate information is shared with applicants by Planning staff; other times, the Online Resource Center provides confusing or unhelpful commentary on the status of a building permit.

There is also no official system in place to deal with complaints from the public. Often responses are not received for months, and it is difficult to get information on what the status of the complaint is.

8. **Delays from Outside Agencies** - Outside review agencies play a large role in the delays in application processing. These outside agencies include fire departments charged with reviewing a project's compliance with fire code, advisory councils charged with reviewing a project's relationship to the community, and design committees that evaluate a project's design characteristics.



There is no time period put on any of these agencies for the review of applications and permits; as a result, some reviews are not completed for months.

9. **Delays from Internal Rules, Zoning Ordinances and Codes**— Some delays are the result of obsolete and outdated rules, zoning ordinances, and code sections that have not been updated in a number of years.

## **Recommendations**

The following recommendations reflect the Task Force's belief that a significant County resource is currently unable to efficiently and effectively carry out the duty it is designed to do. As the Planning and Building Division performs the vitally important function of ensuring the thoughtful planning and safe construction of all structures within the unincorporated areas of San Mateo County, and therefore is a fundamental component of the health and safety mechanism of local government, it is imperative that swift action be taken to create real changes/efficiencies within the Division.

Given the importance of the Division, it is the Task Force's belief that the Board of Supervisors will need to be prepared to add general fund resources to support the internal improvement plan.

There are three categories of recommendations; 1) an internal improvement plan for the Division; 2) a plan to improve public delivery of service; and 3) a plan for review of regulatory documents.

Recommendations within each category are presented in two ways; those that the Task Force requests be part of any final plan as presented by the new head of the Planning and Building Division, and those that the Task Force believes could be part of any final plan, but that must be further developed by the new head of the Division. If the new head of the Division chooses not to pursue any of the latter recommendations, an explanation for such a decision must be part of the final plan.

The Task Force chose to make this differentiation between recommendations because although this Task Force does have an incredible breadth of experience and knowledge on the inner-workings of a planning and building department, there are many improvements that only can be made by the staff that needs to implement them "on the ground". It would be inappropriate for the Task Force to make a series of specific recommendations that do not relate to the "on the ground" realities within the Division.

Rather, this Task Force will issue its recommendations knowing full well that there may be a number of equally acceptable solutions that can solve the problems listed in this report. We believe that the best solutions will be made through the consultation of all its staff members through the new head of the Division, who has been hired and will begin work on June 30<sup>th</sup>.

It is this Task Force's hope that the new head of the Division leads by example, and be clear about the shared direction and objectives of the Division.

The new director must be willing to adapt to new crises, solicit opinion and suggestions from staff for internal improvement, facilitate better relations between staff and the public, and foster continued development of new, innovative solutions for the delivery of public services. Staff must be able to depend on guided, principled, and enthusiastic leadership to keep the Division a valued work environment. The new director must also instill a new sense of accountability to the public by creating an environment where work is processed in a timely manner. In short, the new head of the Division must inspire her employees and motivate them to provide the highest level of service they can.

Finally, the Task Force would like the new head of the Division to develop a system to measure employee and public satisfaction. Benchmarks could be developed to include, but not limited to, staff retention, training levels, communications within the Division, project cycle times, satisfaction with staff performance and wait times for permitting to occur. Any data collected should be shared on a semi-annual basis with the Board of Supervisors.

## A. Internal Improvement Plan for Planning and Building Division

The Planning and Building Task Force requests that the new head of the Planning and Building Division present to the Board of Supervisors, by September 30<sup>th</sup>, 2005, an internal improvement plan for the Division.

### 1. The Task Force believes that any internal improvement plan must include these recommendations:

- Return to a 30-40 project workload per planner – As indicated earlier in this report, a workload of 30-40 projects per planner is the average in most planning departments.
- Provision for administrative decision-making – Many projects that come to Planning are not complicated items; for example, tree removal permits, simple remodels of portions of a home, or fence or other landscaping issues all are simple items that only require a quick review of the relevant zoning section. These are not projects that necessarily require the time or attention of senior staff. Granted, some issues, no matter how small, may anger a neighbor or other interested body, but for the most part these permits should be reviewed and approved at an administrative level. This will allow for quicker turnaround times on simple projects, and give planners more decision-making opportunities.

Such administrative decision-making also allows for the development of a fast-track process for a variety of permits, giving the applicant an exact time of approval without any delays to the process.

- Increase opportunity for advancement within the Division – The Division should look at ways to reward those staffers who produce quality work and remain on staff with new titles, increased pay, and/or increased responsibilities.

The Division may want to consider a reorganization of its staff hierarchy by adding additional Senior Planners to the decision-making schema. Titles such as “Associate Planner”, “Senior Planner” and “Senior Building Inspector” should be used to indicate advancement through the Division.

**2. The internal improvement plan could include the following recommendations:**

- Increased Staffing Levels - There is a clear correlation between the lack of adequate staffing and the morale issues stemming from unmanageable workloads within the Division, as well as the Division's inability to process permits in a timely manner, as indicated earlier in this report.

While administrative decision-making, greater autonomy, and efficiencies can impact workload, some level of temporary or permanent staff increases will be necessary. The 30-40 projects per planner could be reached through a variety of methods:

- a. Hiring short-term contract planners to reduce workloads to acceptable levels – Contract planners could be used in the short-term to complete the backlog of cases, and could be kept on retainer for periods of higher workloads.
- b. Move long-range planners to current planning – In the short term, long-range planners could help with the backlog of projects by being reassigned to current planning tasks. This reassignment should only take place as long as the workload is unmanageable.
- c. Hire a mix of planners, planning techs, and support staff – Although the Task Force does not recommend a specific number of staff to hire, it is absolutely clear that there is a need for more staff in the Division. This mix of new hires could include any number of planners, planning techs or support staff that will enable the Division to process applications at an acceptable speed.

Planners are responsible for all aspects of the project they are working on, from compiling the reports to preparing mailings. Many of the tasks planners perform are much better suited for clerical staff, as much time is lost in purely administrative duties. Attention should be paid when hiring new staff to redistributing this aspect of the planners' workload.

- d. Hire more building inspectors and support staff – At this time, there is only one plan checker for all building plans that come to Building, whether they be newly submitted or resubmittals.

As indicated above, Building may benefit from the hiring of more building inspectors and/or plan checkers as the new head of the Division sees fit to meet acceptable workloads.

- e. Re-institute internship program – The Bay Area has a number of fine graduate and post-graduate institutions that produce a number of highly-motivated land use specialists who would appreciate the opportunity to work within a Division during their schooling.

In the past, such a program was used by the Division, and quality staff was hired from the internship program. The Division could recruit interns that could take some of the pressure off staff as needed, as well as creating a pool of potential full-time planners.

- Staff retention goals – The Planning and Building Division is working at its best when staffed adequately with competent, knowledgeable staff. Overall, San Mateo County is fortunate to have a number of hard-working, dependable planners and building inspectors who make every attempt to meet the needs of their constituency. However, staff does not have the opportunity to learn all aspects of their jobs until they are already working on applications and permits.

There are many ways that the focus of the Division could be brought back to hiring and retaining competent and engaged staff. The Task Force has identified a number of possibilities; this body does not endorse any single recommendation, but rather provides them as suggestions for what may work:

- a. Staff training and mentoring – Retaining staff begins when they are first hired. All new staff should take part in vigorous training to prepare them for the rigors of the job. Currently, new staff is simply given assignments as soon as their employment begins. Adequate training programs should be designed and conducted to insure that new staff has the tools to do their job. Linking new staff with senior staff would also allow the sharing of institutional knowledge and give new staff additional tools to succeed.

Training should be in place before new staff are given major projects, or delegated customer service duty (such as counter work).

- b. Cross-Train Planners – There are two distinct planning divisions in Planning; Current planning and Long-Range planning. There is very little communication between the two sections, which can lead to confusion about future policy goals and their implications for current planning needs. Cross-training would improve communication between the two sections, as well as give staff additional tools and knowledge. . Each division should have regular meetings together in order to discuss long-range goals, implementation issues, and give planners in each division the opportunity to work on new projects and concepts.

Cross-training could conceivably be extended to the entire Division, giving planners the basics in the building arena and vice versa.

- b. Consider a rotation policy for planners from Current planning to Long-Range planning – Such a policy would give planners, especially new hires, a better understanding of the broad issues that affect planning decisions, and would keep planning staff fresh and not tied down to a particular type of application approval or routine.
- Explore the creation of an Incentive System for quality/timely work

## **B. Improve Service to Public**

The Planning and Building Task Force requests that the new head of the Planning and Building Division present to the San Mateo County Planning Commission, by December 31<sup>st</sup>, 2005, a plan to improve the Division's service to the public.

As this Task Force discovered during its work, an internal improvement plan of the Division cannot address all of the problems that were confronted during the Task Force's review.

A plan must be developed that addresses the disconnect between the public and the Division. The public often feels that it cannot get the information it needs to smoothly shepherd an application through the Division. The Division needs to provide more access to staff and information that can help both parties complete the application process in a timely manner, while not keeping staff from performing the work they need to do.

### **1. The Task Force believes that any plan to improve services to the public must include these recommendations:**

- Return to a five-day workweek – The loss of Fridays, although popular with some staff, has reduced the amount of time staff has to work on projects, as well as time the public has to discuss their applications. Applicants, especially professionals who need many opportunities to meet with staff, are at a disadvantage when there is less time to do so. The Division should return to a five-day workweek, and likewise adjust counter times accordingly.

A staggered 9/80 workweek (where staff has the opportunity to have every other Friday off) may work well for certain staff.

- Pre-application meeting – A pre-application meeting currently exists at Planning, albeit in limited form. Potential applicants are not normally informed of its availability, and even fewer take advantage of it.

All applicants would benefit from an enhanced form of the meeting currently available. This enhanced meeting not be a new level of bureaucracy within the Division, but rather simply an improved version of the system in place.



Such a meeting would involve the planner assigned to the project, and the applicants. The project would be discussed, allowing the planner to get an idea of areas of possible delay and concern. The applicant should be provided with a list of the various items that could potentially come up during their review, in the form of a checklist (mentioned below) and charged with securing these various items. These could include design review elements from outside design review committees, specifications on fire improvements, or zoning information. The applicant should also be provided with a timeline that gives them an approximate idea of how long the permitting process should take.

The creation of a pre-application meeting allows for this process to have more time certainties. Depending on the type of permit and its review process, applicants must be given a reasonable timeline to expect as their project moves forward. It is not acceptable that projects can be delayed for months at a time without any indication when they may be brought forward for their approval or public hearing if applicable. This meeting, coupled with the timeline, should give applicants the reasonable range of possible issues or problems that could arise during their application process, thus helping to eliminate some of the uncertainty dominating current planning and building projects.

The Task Force does not believe that this pre-application meeting can solve every potential problem that may arise during the processing of the application. It is also not the intention of the Task Force to oblige planners to overwhelm themselves with unneeded information to pass to the applicant. Rather, it is merely a way to ensure greater time certainty and inform the applicant of potential issues with their applicant, and ways to potentially solve them.

- Pre-application checklist - A checklist, provided at the beginning of the permitting process (and in conjunction with the pre-application meeting), would be a simple way to provide applicants with exact information that may be required to move their project forward. Checklists should be tailor-made from a general template to each specific permit application.

This checklist should have specific information about all agencies that will be involved in approving the project, including contact information. It should also detail the timeline expected for that particular project, and any other information the applicant would find beneficial.

This checklist could be made available via the County's computer tracking system if that was deemed adequate.

- Standardize review period by outside agencies - Many outside agencies have the power to review planning applications and building permits. These agencies, such as Public Works, County Fire, Water and Sewer agencies, or County Advisory Councils, all perform these functions to ensure that projects are designed and built with the best safety and health practices in mind, to ensure harmony with existing communities, and preserve the value of land.

These outside agencies do not have set times by which they are required to finish their review of pending applications. Without set times, outside agencies could potentially delay projects indefinitely.

A 45 calendar-day review period from the time of submittal of the application to an outside review committee, is an acceptable amount of time for any group to meet and make comments. If the outside review agency has not communicated recommendations to Planning, the project should be deemed reviewed as submitted, and approved if applicable.

- Standardize review period of design review bodies – As is the case with the above outside agencies, design review committees do not have a specific time frame to review and return applications to the Division. These committees should be given the same 45 calendar-day period of review from the time of submittal of the application to the design review committees. If the body has not communicated recommendations to Planning, the project shall be deemed approved as submitted.

This will require changes to the relevant ordinances guiding the Design Review bodies.

- Make all outside review of projects concurrent- As it stands, much of the review done by outside agencies and design review bodies is done one after another – each agency reviews the project, then passes it to the next.

This has resulted in substantial delays in permitting. Projects must be reviewed concurrently by all bodies, allowing for a more time-certain outcome for applicants.

- No new fee increases – Given that fees have risen significantly in the past few years, new fee increases are not recommended.

**2. The plan to improve service to the public could include the following recommendations:**

- Better use of website for dissemination of Planning and Building information – The Division has a wide variety of documents and forms that are currently available on its website. However, the Division should continue to expand the amount of materials available via the internet, while also touting the many good issues being worked on and resolved.
- Better internal tracking of projects - The Division uses a very detailed computer system that gives the public ability to view all current information about the status of a project. Although some applicants have indicated that this system has been overall a success, there are areas it can be improved:
  - a. Install an automatic email system that alerts the applicant to deadlines, updates and other pertinent information;
  - b. Request that planners use language that is accessible to any applicant;
  - c. Allow the automatic system to alert the planner assigned to any deadlines he/she needs to meet;
  - d. Allow the automatic system to alert senior staff if any projects are not moving forward at a timely pace
  - e. Create a method of alerting applicant when there is a specific delay in the process; i.e. if a specific agency is holding up the process, the applicant receives an email notification.

This improved system will give planners a time management tool that will help move permits forward.

- Devise system to handle public complaints - All complaints that come to the Division should be handled in a timely and professional manner. These complaints should go directly to a specific staff member who is charged with review and response.
- Review of Counter System - Instead of having a separate counter for Building and Planning, combine the two functions with the other functions of this Division (geo-technical, long-range and fire) where an applicant can get all the information they need. If the tech staff member cannot answer a question, the relevant on-duty staff can be called for assistance.
- Initiate "Training/Planning" Seminars - As per the design of the Division, a series of training/planning seminars could be initiated

that would give community groups, concerned citizens and related professions time to spend with representatives of the Division to talk about the planning process and improve networking and contact, as well as ultimately improve the permitting process.

- Develop Fast-Track System for Appropriate Permits – A fast-track system could be development for those permits that meet various criteria for quicker approval. Such criteria could include those permits that do not require extensive Division review, or those projects that meet stated standards for pre-approval. Such a system would bypass the normal Division processes, and may be part of the aforementioned administrative decision-making plan discussed earlier.
- Appoint Single Contact Person for Duration of Project - As a permit application moves through the Division, many staff members are charged with specific elements of its approval. As a result, there is not a single point of contact for the public to speak with to determine a project's location within the Division.

At the time the project is submitted to the Division, one person could be appointed the contact for the applicant for the duration of the project's review. By having one person available, information about the status of the project would be more accessible for the applicant, and would also create an incentive for the Division's contact to ensure its timely progress to completion.

### C. Review and Update the Regulatory Codes

The Planning and Building Task Force requests that the new head of the Planning and Building Division present to the San Mateo County Board of Supervisors, by March 30<sup>th</sup>, 2006, a work plan with the resources identified and needed to complete a comprehensive re-evaluation of the County's regulatory codes.

All of the regulatory codes that pertain to development in San Mateo County – Zoning and Building ordinances, and the General Plan – have not been substantially reviewed in some time. It is imperative that each of these documents be revised, not only to give planners up-to-date tools to perform their professional responsibilities, but also to ensure that the best and newest practices for environmental protection and forward-thinking land use policies are in place.

Any review of the regulatory codes must include extensive participation from interested community groups, experts and the citizens of San Mateo County at-large.

- **Zoning** - San Mateo County has not revisited its zoning regulations comprehensively in over 50 years, when most municipalities review their policies every 10-20 years. New regulations have been regularly added in response to the needs of specific community requests, while older and outdated sections have been left in place, further complicating the process.

As the Zoning Code has slowly become more and more outdated, many new sections have been added that pertain only to very specific areas within the County. This has resulted in a Code that is incredibly complicated and hard to work with.

The current Code embraces 23 separate zoning districts, as well as a myriad of combining zones and districts that by their very nature slow down any review process.

The zoning regulations in the County must be overhauled in order to address modern land-use problems that could not have been anticipated when the regulations were first written. This overhaul should include:

- a. Updating antiquated code that pertains to land uses that no longer exist in the County of San Mateo;
- b. Simplifying complicated code sections;

c. Full review of relevant environmental protections that are not codified, including creek setback rules, watershed and open space protection.

- **Building code** - The Task Force has been informed that there is an internal review and revision of the Building and Fire Code underway. Any review of the Building Code should take into consideration issues surrounding the so-called "50% rule":

Current County code provides "When additions, alterations or repairs within any 12-month period or from the date of completion of any permit exceed 50% of the value of an existing building or structure, as determined by the Building Official, such building or structure shall be made in its entirety to conform with the requirements for new buildings or structures."

This regulation was intended to compel owners to bring their structures up to the current code levels. However, it has a number of unintended side effects:

1. Some simple remodels can potentially trigger the rule;
2. Many owners simply wait 12 months after the completion of their previous permit to start new work, thereby skirting the regulation
3. Structures could face serious changes in their historic or architectural style, or face requirements that are not reasonable and/or possible to achieve;
4. An owner could be liable for funding major community-level fire or safety improvements on their own;
5. The use of the percentage of value for implementing the rule is unfair to owners of smaller structures who are disproportionately impacted by the rule.

This rule, given its unintended side effects, must be re-examined to better reflect its purpose.

- **General Plan** – The County's General Plan has not been reviewed since 1986; most general plans are reviewed every ten to fifteen years.

As the guiding document of land use policy in the County, it is critical that the General Plan be updated in light of recent developments in environmental protection and zoning theory.

## **Report Conclusions**

This Task Force is confident that implementation of the recommendations listed above will bring about substantial improvements to the Planning and Building Division's ability to serve the needs of the community. We also believe that this document created impetus for the Division to challenge itself to identify other ways not considered by this Task Force to enhance its delivery of services to the public, while maintaining a culture of staff excellence.

We are very proud of the Division. We believe they are staffed with hard-working individuals who, given the enormous challenges they face everyday, do an exceedingly good job. Those who took part in the public outreach process made mention of specific individuals within the Division who went out of their way to assist them with their permit or advise them on an alternative to their plans. We continue to look to them for advice and suggestions for further improvements.

Division staff should play an integral role in reviewing, refining and implementing measures to ensure that their working environment is creative, supportive and efficient.

We also embrace the Grand Jury's report on the status of the Division as issued in March of 2005. We believe that its recommendations, coupled with those in this report, should be acted upon as soon as possible.

In the end, this Task Force will rely on the new Director of the Planning and Building Division to put in place the appropriate changes to improve the quality of the work environment, service to the public and to the regulatory codes. We believe that this document lays out a number of alternatives to the current system and should be used as the template for any improvements undertaken.

## Attachment A

Dear San Mateo County Community Member,

Last Spring, the Board of Supervisors adopted new fees for planning and building permits. During that discussion, the Board determined that an examination of the service level and performance of the Planning and Building functions should be conducted. The Board authorized the formation of a Citizen's Task Force that would tackle the myriad of issues that have resulted in long waits for permits, complicated processes with overlapping review structures, and an overall lack of efficiency in the system. This Task Force has begun its meetings and hopes to prepare recommendations for the Board later this year.

To that end, I want to hear from you about instances where you have dealt with the Planning and Building Division that illustrate the very problems we hope to resolve. You have been contacted as you applied for a planning or building permit with the County in the past 18 months. Your experiences will give this Task Force a better understanding of the issues that people may face when trying to get a permit.

The best way to relay this information to the Task Force would be with a description (either mailed, emailed or faxed) of those issues you faced, and where you would like to see improvements in the Division or the process. These items could include:

- Delays in receiving your planning approvals
- Delays in receiving your building permit
- Problems scheduling a building inspection
- Any issues with outside (external) forces or agencies
- Are you still waiting for a permit?

Please include in your description what type of project you were working on, the length of any delays in completing the project, and any other information you think best shows the types of difficulties you may have faced.

Any additional items of note (external forces you may have encountered that delayed your project) would also be helpful. We would also welcome comments about what you believe is working well at the Planning and Building Division.



Attached to this letter is a form that you could use to share your comments. I would also accept a letter or email describing your situation. My fax number is (650) 363-1856, or you can mail the form to 400 County Center, Redwood City, CA 94063. Emails can be directed to Jeremy Dennis on my staff at [jdennis@co.sanmateo.ca.us](mailto:jdennis@co.sanmateo.ca.us). Please send your comment no later than March 1<sup>st</sup>.

Please note that letters sent to public officials become public documents. While it would be helpful to have your name in case it was necessary to contact you to clarify the information you provide, anonymous contributions are sufficient.

Please also note that if you have a pending permit, the information you share with the Task Force WILL NOT be shared with the Planning and Building Division.

There will also be a public hearing in March that will give you an additional venue to share your information with the Task Force. If you would like to be notified to the specifics of this hearing, please let me know.

Thank you, in advance, for your valuable insight and input. Your story will help make this Task Force reach its goals in improving the system for all those who need it.

Sincerely,

Richard S. Gordon

# San Mateo County Planning and Building Task Force

Name (optional) \_\_\_\_\_

## Type of project –

Single home (build) \_\_\_\_\_ Subdivision \_\_\_\_\_  
Single home (remodel) \_\_\_\_\_ Commercial \_\_\_\_\_

## Length of time in process –

For planning approvals \_\_\_\_\_  
For building permits \_\_\_\_\_  
For inspections \_\_\_\_\_

## What worked well in the process –

## What needs to be improved –

## Specific Suggestions for improvement –

