

Alameda County, California

Development Services Process Review

July 2023

July 17, 2023

Ms. Susan Muranishi
County Administrator
Alameda County, CA
1221 Oak St., Room 555
Oakland, CA 94612

Dear Ms. Muranishi:

Baker Tilly is pleased to transmit this final report regarding our review of Alameda County's development services processes. The goals of the project included identifying opportunities for Alameda County to streamline its development services process, improve customer service, and enable staff and policymakers to focus on what needs to be accomplished for change and improvement. We developed our observations, areas of focus, and recommendations after gathering insights from County staff, stakeholders, and applicants, as well as advisory body members. We also reviewed existing practices, prepared process maps that depict the development process across major functions, reviewed data provided by County agencies, and identified best development services practices not currently in place that would aid the County in delivering this important function.

We would note that County staff are diligent and committed to professional practices in their work. During our engagement County staff implemented a number of improvements to the development process. Our major observations and recommendations are intended to build on the work of staff and implement additional changes that will increase the efficient use of staff and streamline the development services review process. Our key recommendations focus on making information readily available to applicants and proactively tracking the progress of projects across disciplines. Implementing these recommendations will require establishing formal turnaround timelines and protocols, which will help staff as well as applicants. We also recommend that the County hire a project manager empowered to oversee the implementation of the development services permitting system in the remaining major disciplines (including planning) and lead the way for changes to improve access by customers. A Near-Term Work Plan accompanies this report which is intended to provide guidance about priorities and steps to implement the various recommendations.

Thank you for the opportunity to work on this engagement; we appreciate the staff, advisory body member and stakeholder engagement and participation.

Sincerely,



Carol Jacobs
Managing Director

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Executive Summary

Baker Tilly was engaged to conduct a comprehensive review of Alameda County's development review process. Alameda County leaders have been fielding complaints and comments from elected officials, applicants, and other stakeholders about the development approval process, and were interested in an assessment that would result in practical recommendations for implementation.

We conducted a first phase of the work in the summer of 2022 that involved conducting interviews to document the perspectives of specified stakeholders about the process to inform a second analytical phase. Through those interviews, we identified themes and prepared a memorandum that described the issues presented by the stakeholders. That report was presented twice, once to the Transportation and Planning Committee of the Board of Supervisors and then to the Board of Supervisors. This phase of our work provides an analysis of development systems and procedures, processes, and best practices that we believe will optimize the development process while meeting policy objectives and regulatory requirements.

This assessment is consistent with other successful organizations, public and private, which periodically pause to assess whether there are opportunities to streamline services and operations. Alameda County has been involved in continuous process improvement in many ways, and this review continues.

As documented in our work, staff in the departments and divisions involved in Alameda County's development review process care about customer service and have made efforts to improve their processes. This was particularly clear over the past three years when staff made a change from a paper-based and in-person development review process to on-line services during the pandemic to maintain customer service. These were important changes. The themes that resulted from our 2022 stakeholder input project indicated that customers would like to see further service improvements to meet their interests in timeliness and predictability.

Our in-depth analysis conducted as part of the phase two project and reflected in this current report enabled the Baker Tilly team to identify specific improvements more clearly in the development review process that, if made, will achieve greater efficiency for staff and applicants.

Project Objective: Identify opportunities to streamline the development services process and empower all involved to be successful in their roles.

To achieve the project objective, it will be important to understand the following:



Staff must be positioned and enabled to be efficient and deliver their best professional recommendations.



Staff, applicants, appointed and elected officials all have a role in improving the process.



Executive leaders must lead the way in support of teamwork and organizational culture change.



Business systems and technology are as important as process improvements.

The mission of an effective development services process is to:



Promote high quality development



Provide applicants with timely responses and predictability



Ensure policies and regulations are met



Keep projects moving!

Issues are Systemic and Policy Based

In this review, we found that the development services challenges facing the County are systemic in nature and policy based. They fall into the following major areas.

Interdepartmental
Coordination and
Collaboration
(Project Management)

Customer Service
and Public
Information

Business Systems
and
Technology

A Streamlined
Public Review
Process

As a result, our report is *focused primarily on recommendations for making more efficient use of staff and streamlining the development services review process.*

In our review of the development services function, we generally found that County staff understand the challenges facing them and want to **improve the applicant and customer experience.**

Examples include:

- Staff care about customer service and customers with whom we spoke believe them to be cooperative and helpful.
- The County made a difficult transition from in-person to online service quickly during the pandemic. Some agencies were more adept and prepared to make the transition than others, but everyone eventually adapted and was able to continue processing development applications throughout the challenges of the past three years.
- The Building Department continues to expand its online portal and “automatic” permit program, which constitutes almost half of all permits issued.
- The public counter was reopened as of March 1, 2023.
- Although not completed, Planning is implementing the development services permitting system.
- Awareness of and information sharing regarding the impacts of the Onsite Wastewater Treatment System (OWTS) on development applicants is expanding across the disciplines.
- Economic Development is strengthening its Permit Coach role.
- More minor administrative use permits are now being reviewed by staff.

This review focused on where County leaders and staff have found the most challenges based on our initial review done in 2022, on our interviews with customers and staff, and on four case studies of projects that encouraged challenges during the development process.

We would note that too often, the most critical data we needed to confirm our initial observations was not available. For example, actual historical data and turnaround times (i.e., how long it took to complete review of a proposed development, *not estimated timelines*) for complex projects (e.g., multi-family housing) were not available. Turnaround times provide a key measure of customer service and accountability. We address this later in the report as an important process improvement to be made.

In general, we found that the County's strength is in processing routine development applications. Challenges arise, however, with more complex projects, whether an addition to a single-family home on a septic system (complex because of the mandatory regulations involved), a multi-family residential project, or other infill projects.

We believe the issues related to the *Onsite Wastewater Treatment Systems* (or septic systems) role in the development process are straightforward to address. There is a need to start the review earlier in the process and provide better and more comprehensive information up-front to applicants. While this may increase the up-front cost and time required of the applicant, in the long run it will reduce the overall time and cost.

The challenges related to processing more *complex development projects* such as multi-family housing and infill commercial are not as easily addressed because they involve review across several disciplines and agencies and by several public advisory bodies. And the workflow and project management systems deployed to do so vary across the agencies.

We have been told by Public Works Agency staff that complex and large residential and commercial projects only constitute about 1% of the County's building permits. Nonetheless, we heard most comments from applicants about these large projects, and they are most important to the County's development.

The state, and especially the Bay Area, has been struggling to meet housing needs. During the seven years between 2015 and 2021, the County saw only 621 housing units¹ permitted. This is not a large number for a County with an urbanized population that, were it incorporated into a single city, would be the fourth largest in the County. Based on the State's focus on increasing housing development, the County should expect that the rate of applications for housing developments will increase. When the permit process takes a long time, fewer housing units are built, and developers get discouraged from working in the

¹ 5th Cycle Annual Element Progress Report Housing Element Implementation, Regional Housing Needs Allocation Progress, Permitted Units Issued by Affordability, 2015-2021, provided by the Planning Department

unincorporated areas of the County. The County's development process, though, does not only involve staff. It also includes several policy-based advisory bodies. It will be important for the County to be well-positioned with its development process to be able to efficiently move such projects through in a timely manner, knowing that each project will have a unique set of issues that must be addressed. An overly lengthy development review process could increase the potential risk for legal challenges by developers as the state increases pressure on jurisdictions to eliminate regulations to provide more housing more quickly.

Major Observations

During our assessment, we conducted interviews with staff, customers, and applicants, reviewed documents and extensive information provided by the County and on the County's website, obtained publicly available information from other comparative agencies, conducted case studies, and evaluated the current workflow to inform areas of focus and specific recommendations. These activities informed Baker Tilly's major observations that follow about what is needed to improve the County's development process.



Enable issues and requirements to **surface early; frontload** Environmental Health and Development Engineering



Empower **project management** and promote **accountability** as a value



Update and improve **electronic information and public portals across all development services functions**



Complete **implementation of the development services permitting system** in Planning, including all available modules, and require its use



Establish **turnaround metrics** and **project tracking** across all disciplines



Prepare for a potential increase in **larger multi-family residential** projects by **streamlining** the process (required by new state law)

Major Areas of Focus

Throughout this report we recommend ways to streamline and improve the County's development review process across the disciplines. Ultimately, the result is one overall recommendation:

Keep projects moving and use systems, workflow, and project management to do so.

Baker Tilly recommends that County leaders and staff focus on the following areas to achieve real change and improvement. Most of these areas are operational, but some are related to policy and will require consideration by elected officials. Issues in both areas are described below.

Operational Areas of Focus

1. **Interdepartmental Communication and Collaboration.** Create an environment and implement tools that will aid and empower employees to improve inter-departmental communication and collaboration. Since the development process crosses departmental lines, having a good understanding of how employees can interact with their colleagues in other departments and divisions will be critical to streamlining processes and improving the customer experience.
2. **Development Services Workflows.** Ensure development services permitting system workflows cross departmental boundaries, reflect streamlined development services practices, and are monitored for accountability.
3. **Website Information.** Develop easy to find and comprehensive permit information on the County's website that provides applicants with requirements, forms, etc. about what is required. Ensure that intuitive, robust public portals are implemented across all disciplines.
4. **Turnaround Times for Predictability and Accountability.** Develop, publish, and track turnaround times for major development project types within all major disciplines.
5. **Development Services Permitting System.** Develop a plan to fully implement the development permitting system in Planning and Environmental Health in the near term.
6. **Project Management.** Develop and implement formal project management roles and responsibilities within and/or across Building and Planning.

Policy Areas of Focus

1. **Permit Types.** Identify those development permits currently subject to review by advisory bodies that may be routine and could be processed administratively (with public notice).

2. **Planning Permit Decisions.** Simplify and streamline the current public hearing process so all planning permit decisions are made by the highest decision-making body.
3. **Appeals Process.** Streamline the existing appeals process so appeals of all project permits are considered at one time by the highest reviewing body.
4. **Public Hearings.** In accordance with recent state law regarding streamlining the approval of housing projects, revise the public advisory body review process to ensure compliance with limitations on the number of public hearings (five).
5. **Alignment of Functions.** Review the functional alignment and interdisciplinary relationship between Building and Planning regarding a seamless development services function with a common mission and vision.

Technology is clearly on the critical path for many of the improvements described in this report. However, it should be viewed as only one of the tools to help achieve change and improvement.

The use of technology is important but is only as good as the processes that are replaced are **not the same paths and ways of doing business**. It should **enable and empower staff** to be **efficient and effective** and **inform customers** what is required to be successful.

We have offered 51 specific recommendations resulting from our analysis. The recommendations are not in priority order, but rather are listed in the order they appear in the report. They are summarized in Attachment A.

Leadership and Resources Needed to Implement Real Change

Strong leadership by executives across departments and ongoing, regular communication and collaboration among all development services disciplines will be important for meaningful change and improvement.

Leadership team members will need to establish expectations for:



Teamwork, cross-communication, and interdisciplinary project management to improve the customer experience.



Tracking and turnaround objectives to be incorporated into systems, processes, and the daily work of staff.



Accessible, thorough, and current **information** on **departmental websites and public portals**.



An **integrated workflow** that values **streamlining processes across disciplines**.

Setting expectations is the first step but success will require resources (budget and systems) and additional capacity to engage and implement the recommendations in this report.

It is almost impossible for systems and process improvements to be implemented while doing everyday work. Additional resources could take the form of:

- Contracting or consulting services for various purposes, e.g., website and information improvements; and
- Hiring of a project manager on a limited term for specific objectives, e.g., implementing the development services permitting system in planning and environmental health.

Additionally, while Baker Tilly was not engaged to conduct an organizational assessment of any of the departments involved in development services, we noted some areas where issues surfaced from staff could be addressed to improve their efficiency and effectiveness. These included:

1. **Recruitment.** Staff noted the length of time it takes to recruit and fill vacant positions as significantly impacting service delivery.
2. **Succession planning.** Like most local governments in California, retirements and resignations have impacted institutional knowledge across all functions, not just development services. Therefore, succession planning becomes even more important as a management focus.
3. **Professional development.** To retain staff, it is important that they are engaged and supported with a professional development plan and provided the support and resources to implement it. This sends a strong message that their employer is invested in ongoing learning and success.

Organization of the Report

This report is organized into the following major sections:

- Setting the Context
- What Customers Expect from Development Services
- Project Approach
- Project Management, Collaboration and Workflow
- Integrated Permitting System Across Disciplines is Critical
- Performance Measures and Accountability
- Comprehensive Information is Key
- Streamlining the Public Review Process
- On the Critical Path and Next Steps
- Conclusion

Near-Term Work Plan. In conjunction with this report, Baker Tilly has prepared a Near-Term Work Plan to implement the priorities described in the report. This is intended to be a practical and user-friendly document to guide implementation and target priorities. It contains the major areas of improvement and the specific actions that may be taken to move the County forward to meet development process review objectives.

Setting the Context

Alameda County is an urbanized county of almost 1.7 million people located along the eastern shoreline of the San Francisco Bay. Most of the County's population is in incorporated cities such as Oakland, Berkeley, Hayward, Fremont, and the Tri-Valley area. Development is permitted in those cities in accordance with their locally adopted general plans, zoning ordinances, building codes, and public works standards.

County government regulates and permits development in the unincorporated portions of the County. Some areas within the County's development jurisdiction are highly urbanized, such as Castro Valley and the communities of San Lorenzo, Ashland, Cherryland, and Fairview (collectively known as the Eden Area) in the western portion of the County. If the more urbanized areas of the County in the western portion were combined into one city, it would be the fourth largest city in the County, with a population estimated at 147,000² (between the populations of Berkeley and Hayward). Most of the east County is undeveloped and various initiatives have been adopted to preserve agricultural uses and its rural character.

Several County departments and special districts are responsible for managing development within the unincorporated areas of the County. For more rural areas without sewer systems, which are often on well-water, at least four County departments are involved: Planning, Public Works, Environmental Health, and Fire.

In the urbanized portions under County jurisdiction, development is regulated by the same County agencies as well as typically a water district and a sewer district. Depending on the type of development, the County Sheriff's department, a school district, and other agencies may also be involved.

What should be clear from the number of agencies involved in development review is the importance of *an integrated and coordinated review process*. The decisions of one agency can have an impact on another, and the whole process

²Source: California Department of Finance, City/County Population Estimates January 1, 2023

can get bogged down if one agency performs its work independently or at their own pace.

Another important feature of any development review process is how the County engages the public in the land use decisions that affect them. Alameda County includes a large and diverse area as well as diverse communities, and the interests of Castro Valley residents and businesses are likely to be different from those of Sunol residents and businesses. To address the perceived need for more local involvement in reviewing development proposals, the County Board of Supervisors created local advisory bodies to review them and provide advice to decision-making bodies.

Environmental Health

The Environmental Health Department is involved in development review primarily with respect to two critical concerns: regulating of onsite wastewater treatment systems (OWTS) (also known as septic systems) and addressing toxic materials that may have been left on previously utilized parcels. Both functions are essential to protect the environment and the safety of future occupants of buildings and workers on previously contaminated sites.

Onsite Waste Treatment Systems

The State Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems was adopted by the State Water Resources Control Board effective in 2013. Based on that policy, Alameda County prepared a Local Agency Management Program (LAMP) in 2018, which sets forth its regulations for OWTS. The LAMP was approved by the state to be in conformance with the state policy.

All OWTS in Alameda County are subject to the 2018 regulations, which are more stringent than previous OWTS requirements. Whenever a property owner chooses to modify their property in a manner that will affect a site served by an OWTS, the OWTS must meet the 2018 standards. In practice, this means that any property owner on an OWTS that wants to add a new “fixture,” i.e., bath, toilet, or sink, will require a full assessment of the adequacy of the existing OWTS against the 2018 standards.

The assessment is complex, typically involving a consultant or contractor who can perform the analyses required by the LAMP. If the OWTS does not meet that requirement, they must propose modifications to the system to meet the new standards. This can be an expensive and time-consuming process and many property owners may conclude their proposed addition or accessory dwelling unit is not feasible, or will cost considerably more than they had budgeted, given the OWTS requirements.

After investing time and money on a proposed addition or modification to a home, it can be disappointing to a property owner to discover that their project could be delayed for months while an OWTS assessment is done, and that the required modifications of the OWTS could have a big impact on the project budget. Accordingly, it is essential that property owners with an OWTS contemplating a change to their property consult early with Environmental Health to understand the requirements and potential impacts, both in terms of time and cost. To ensure this early consultation, both Planning and Building must adopt procedures that require this early consultation with Environmental Health.

Toxic Contamination

Another group within Environmental Health is responsible for protecting the health and safety of future occupants of a property from the impacts of past contamination of a site. Any site that has been previously occupied by a former use (even agricultural uses) can be contaminated with toxic substances that can affect construction workers, residents, or workers in a new building on the site.

Sometimes it is not the proposed development site itself that is the problem, but an adjacent site used in such a manner that toxic contaminants have entered the groundwater (e.g., through underground tanks) and drifted under adjacent sites and where excavation for foundations or a below grade garage would lead to the surfacing of those contaminants. Many, but not all, of these contaminated sites have been mapped by the state. The sites most subject to redevelopment (e.g., former industrial sites and underutilized commercial sites on major corridors), are also those most likely to have a toxics issue.

Like OWTS, mitigating the impacts of a toxics problem can be time consuming and expensive. Accordingly, it is important that when development is proposed for these sites, the applicant be referred early to Environmental Health's Local Oversight Program for review.

Anyone contemplating purchasing an infill property will be required by the financing bank to have a "Phase 1" prepared for the site. A Phase 1 is a review of the history of the site for any potential uses that would be "red flags" for future development and put the investment in the property at risk. Requiring that Phase 1 reports be reviewed by Environmental Health at the beginning of the development review process can help avoid an unwelcome surprise later.

New State Legislation Regarding Housing

In recognition of a severe state-wide housing shortage, the legislature passed several bills that limit local government land use regulatory procedures and purview in relation to new housing development. The key provisions that impact the County's development review process are provided below. These laws,

particularly SB 330³, AB 2011⁴ for Planning permits and AB 2234⁵ for Building permits, require *front loading of information and issues, limit public hearings, and establish timelines for building permits and other post-entitlement permits* for residential projects. The County's development review process for residential projects will need to change to meet these requirements.

Recent state law will require major changes for residential development.

Planning



Listing of **all materials needed** on an application from **all agencies**.



Notification to applicant about whether an application is **complete within 30 days** (based only on requirements in application form).



Notification to applicant of inconsistencies with County standards within 30 to 60 days.



Allows only **five public hearings**, including continuances and appeals.



Allows ministerial, CEQA exempt path for **qualifying multi-family projects** on commercially zoned land.

³SB 330 adds section 65941.1 and amends Sections 65905.5, 65913.10, 66300, and 65589.5 Planning Development Review Process.

⁴AB 2011 adds Article 3 Sections 65912.120 through 65912.124 Mixed-Income Housing Developments Along Commercial Corridors

⁵AB 2234 amends Section 65589.5 and adds Sections 65913.3 and 65913.3.5 post entitlement ministerial permits

Building



Must provide **detailed checklists** of required application information on website (no late hits). (Checklist preparation is currently underway in Building and perhaps in other departments).



Strict **time limits** for ministerial permits, e.g., building, grading, demolition

- Notify applicant within **15 days** if application is complete
- Complete review of ministerial permits within **30 days** (< than 25 units) to **60 days** (> than 25 units) of receipt of completed application



Failure to comply exposes County to **liability risks**

Other Changes in State Law. Other recent state legislation limits the authority of local governments over accessory dwelling units (ADUs, also known as “granny units” or secondary units) and requires the establishment of “objective development standards” for residential projects of all types. ***The County has not yet adopted changes in its ordinances to reflect many of these changes in state law.*** Not conforming to these new requirements has consequences set forth in the law, including an inability to condition or modify proposed projects and the risk of attorneys’ fees should a lawsuit be brought.

Housing Element and Regional Housing Needs

Alameda County is subject to the requirements related to adoption of a revised Housing Element of its General Plan. Housing Elements set forth a local jurisdiction’s policies and strategy for addressing housing needs. By state law, Housing Elements must be revised every eight years and show how the jurisdiction will address its share of regional housing needs, as defined by the state.

The most recent Housing Element revision for Bay Area jurisdictions is for the 2023 to 2031 period and final elements were required to be certified by the State Department of Housing and Community Development (HCD) by January 31, 2023. While few jurisdictions met the certification deadline, almost all Bay Area jurisdictions have submitted draft elements to HCD for certification.

Alameda County did not begin revising its Housing Element until June 2022 and does not expect a revised Element to be submitted until early 2024. Consequences to the lack of conformance with state law include the ability of

developers to have projects approved with limited County purview, and the lack of eligibility for some state grant funds.

The County's overall share of regional housing needs for the 2023 to 2031 period is 4,711 units, of which 1,972 are expected to be affordable to low and very low-income residents. This Regional Housing Needs Assessment (RHNA) requirement for close to 600 units *per year* over the next 8 years is about equivalent to the County's total housing production (621 units) for the *seven years* between 2015 and 2021 as indicated below in Table 1.

Table 1. Regional Housing Needs Allocation (RHNA) Progress Permitted Units Issued by Affordability¹

Income Level	RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	Total Units to date (all years)
Very Low	430	35	85						120
Low	227	65	8	3	11	26	44	47	204
Moderate	295	21							21
Above Moderate	817	17	9	32	108	63	19	28	274
Total RHNA	1,769								
TOTAL UNITS		138	102	35	119	89	63	75	621

¹Source: 5th Cycle Annual Element Progress Report Housing Element Implementation, Regional Housing Needs Allocation Progress, Permitted Units Issued by Affordability, 2015-2021, provided by the Planning Department

To do better, the County will need to look closely at how it can promote and efficiently process residential development. We expect this report to assist the County to meet that goal.

Building and Planning Permit Information

Tables 2 and 3 indicate there was little slowdown for building permit activity in Alameda County during the pandemic.

Table 2. Total Number of Building Permits Issued in the Past Three Years in Alameda County¹

FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2019-2022 Three-Year Average
7,300	7,187	8,077	7,720	7,521

¹ Source: MaintStar Dashboard data provided by Building Inspection Department

Table 3. Total Valuation of Building Permits Issued in the Past Three Years in Alameda County¹

FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2019-2022 Three-Year Average
\$116,200,507	\$130,934,982	\$154,226,598	\$130,685,472	\$133,787,362

¹ Source: MaintStar Dashboard data provided by Building Inspection Department

As listed in Table 4, the bulk of planning applications from 2018 through 2022 were conditional use permits and site development review applications.

Table 4. Alameda County Planning Applications Processed by Type 2018-2022¹

Application Type	Number of Cases
Conditional Use Permit	256
Site Development Review	218
Zoning Verification Letter	173
Telecommunications Permit	105
Administrative Conditional Use Permit	84
Parcel Map	53
Variance	52
Signage	28
Historical Assessment	26
Tract Map	22
Planning Commission Determination	17
Planning Director Determination	17
Zoning Unit	15
SB9 Pre-screen for lot splits	12
General Plan Amendment	7
Preliminary Review	7
General Plan Consistency	4
Private Street Approval	3
Minor Use Permit	1
Temporary Use Permit	1
Mod Conditional Use Permit	1

Source: MaintStar Dashboard data provided by Planning Department

As of July 2023, Planning has 120 open cases under review. Like the historical data, the current most common application types under review are site development reviews and conditional use permits. Several of these are inactive awaiting the applicant's response to County comments or because it is an incomplete application.

What Customers Expect from Development Services

To streamline development process reviews, it is important to have a consensus across all disciplines about what customers expect as they proceed through the process and how to deliver it.

Customer Service Goal: Applicants can easily navigate the process, understand what is required for a complete application, and are positioned to create high-quality development.

To achieve this goal:

- Applicants need *predictability* for project reviews, even if a review process is lengthy.
- The customer experience needs to be *understood*; one process does not work for all applicants.
 - Computer literacy and language fluency of applicants varies significantly,
 - Digital submissions require robust public information and user-friendly portals, and
 - Development review is a public service and should be accessible at a public counter.
- Staff should be *reachable*.
 - Phone numbers and email addresses should be easy to find on the website, and
 - Information should be easily accessible at reception desks.
- *Project status* by County agency/department across all disciplines should be *accessible* by staff to be able to inform applicants.

Development review is a complex process – both for applicants and for county staff. It involves a range of private sector development professionals (planners, architects, engineers, landscape architects, etc.) employed by the applicant, and the County staff who review their work.

The process for getting approval to develop (referred to as “entitlement”) involves considerable expense (both time and money), including the cost of the professionals representing the applicant, the costs of holding land, and the fees paid to County government to process the application.

Given the cost of the process, what applicants want most is predictability. While the outcome cannot be guaranteed and unexpected issues often arise, *what can and should be predictable for an applicant is the process.*

An applicant should be able to know the following at the beginning of the process:

All submittal requirements for a complete application;

What permits are required;

The procedural steps involved in getting those permits;

How long the County is likely to take to complete each step (i.e., turnaround time);

An estimate of the permit costs up front;

Contact information for all staff reviewing the project;

An individual County staff member who can be contacted by the applicant to resolve issues when they arise.

Alameda County should provide this information at the beginning of any application. An applicant should also have some confidence that their project will be approved if designed in conformance with County requirements. State law now mandates that a residential project be approved if it conforms with objective standards in the zoning ordinance.

There is typically a wide range of experience in individuals undertaking a development, from the homeowner who wants to remodel their bathroom and act as an owner-applicant with no prior experience in development, to sophisticated large developers who may have processed many complex projects in Alameda County or elsewhere in the state.

As a public service agency, County staff must recognize this diversity of experience and accommodate it in information materials and direct customer service infrastructure. However, there is a limit to the amount of assistance a public agency can afford to provide given normal staffing limitations. Accordingly, an agency must provide information and staff assistance while also insisting that customers seek sufficient qualified professional help to avoid undue reliance on County staff.

Project Approach

The County of Alameda engaged Management Partners, now combined with Baker Tilly, to conduct a comprehensive review of the County's development review process and create recommendations for improvement. We began with a kickoff meeting with County department head staff in November 2022. Baker Tilly obtained information to inform our analysis and recommendations in this report through various activities shown below.

- Interviewed 18 staff members representing Planning, Economic and Civic Development, Building Inspection, Development Engineering, Environmental Health and Fire Department

Conducted Interviews with County Staff



- Three Municipal Advisory Committee Chairpersons
- Attempted to reach Chairpersons of East and West Board of Zoning Adjustments

Conducted Interviews with Selected County Appointees



- Staffing and budget information
- Entitlement applications and discretionary planning permits filed
- Number and types of building permits
- Building valuation statistics
- Turnaround times and other key performance indicators
- Handouts and application forms

Reviewed Documents



- Facilitated 2 on-site sessions with 24 staff participants to map the processes for entitlements and building permits

Mapped Development Review Processes



- Planning Department and Economic and Civic Development
- Building Inspection Department and Development Engineering Review
- Environmental Health Department - Land and Water Protection
- Fire Prevention

Created Functional Organization Charts



- Reviewed four case examples with project staff to identify issues and opportunities for improvement
- Interviewed 11 applicants about their development process experiences

Reviewed Case Files and Applicant Interviews



- Interviewed four staff members and one system project manager about business and software systems implementation, workflow and reporting

Evaluated Business Systems and Technology



Applicant Interviews

Baker Tilly interviewed the 11 applicants shown in Table 5. Some were interviewed during the early phase of this engagement and others as part of this phase. The applicants' projects covered a wide range of developments, from single family houses in rural areas to townhomes and mixed-use developers in urbanized areas. They had experience applying for both planning and building permits. The purpose of the interviews was to understand Alameda County's development services process from the perspective of applicants.

Applicants are key stakeholders; they build housing and provide commercial services to the community. Representatives of the development community in the early phase were selected by staff to the Board of Supervisors Districts 1 and 4. Four case studies were chosen by County Planning staff. The applicants for those case study projects were interviewed, in addition to two other applicants.

Table 5. List of Applicants Interviewed

Phase 1 Report – Documentation of Development Services Issues in Alameda County	Phase 2 Report – Alameda County Development Services Process Review
Castro Valley Marketplace developer	Applicant for a building permit for a cannabis dispensary
Equestrian and olive oil mill developer	Townhome Project Developer
Onsite wastewater treatment systems (OWTS) designer and installer	Mixed-Use Project Developer
Homebuilder	Single-Family Home applicant with onsite wastewater system issues
Residential developer	Sanitary District applicant for construction of new headquarters
	Commercial electrical permit applicant for a barrel room with septic concerns

The major themes from the applicant interviews are provided below. Throughout this report, we have incorporated additional information learned from the interviews and case studies into the relevant sections.

Applicant Interview Themes

County staff are professional and cooperative and take their work seriously. They want to **improve** the process and are working on improvements now.

There is an unclear path for applicants to rely on to obtain project approval, which is frustrating. There is also a lack of performance metrics.

Applicants often do not know who to call for guidance; many want face-to-face communication.

The counter closure and lack of pre-application meetings has **impacted customer service** and challenged applicants to get information.

Applicants are effectively responsible for **managing their projects** through the process, i.e., tracking and coordinating with the various agencies and departments.

Some cited “**late hits**” (learning about issues late in the process). School and traffic impact fees, OWTS and roadway improvement design issues, were cited as particularly problematic.

Case Studies

For a more in-depth understanding of the development review process, Baker Tilly also reviewed four projects chosen by Planning staff as case studies. These are described in Table 6.

The case studies involved conducting interviews with staff who worked on the project and the applicant.

Our team documented initial contact; meetings held with the applicant; work performed and by whom; delays and for what reason; major turnaround points; key issues; and other important facts.

Obviously, the case studies do not represent the experience of all applicants, but they nonetheless provide valuable information on what was working well and where issues may exist in the development review process.

Table 6. Case Studies Evaluated

Project Name	Project Description
Darcy Kent Cannabis Dispensary	A building permit for a cannabis dispensary that involves Planning, Environmental Health, Fire and Building.
Village Green Mixed-Use Project – A total of 138 rental residential units and retail in three-story buildings on six parcels	A planning entitlement that went through review by the Municipal Advisory Committee and other review bodies and is now in building review.

Project Name	Project Description
New single-family home with detached garage	A building permit that involved issues with an onsite wastewater system.
City Ventures townhome/ADU project with eight three-story, mixed-use townhouse condominium/commercial buildings	A planning entitlement that included a review by the Municipal Advisory Committee and other reviewing bodies and is now in building review.

Baker Tilly recognizes that many planning applications and building permits are handled by the County with few, if any, issues. The case study projects were selected to *help identify challenges experienced by applicants who processed more complex projects.* Some high-level takeaways from these case studies are provided below.

- Applicants acknowledged individual staff in both Planning and Building for their assistance. For example, the applicant and the County Building and Environmental Health staff divided the building permits for the single-family residence with on-site wastewater treatment system issues into three permits (foundation, garage, and single-family residence) to keep the project moving. Even with that collaboration, it still took nine months from the date of the building application for the three building permits to be issued.
- Several case study applicants had to contact the Board of Supervisors, their staff, or department heads for assistance in finding the status of their projects and moving them forward.
- The review of onsite wastewater treatment systems needed to occur earlier in the development review process.
- Due to a process that requires applicants to comply with standard engineering conditions (nothing more specific) during the entitlement process, development engineering issues that are typically identified and addressed during the planning entitlement review were not discovered until the detailed review during the building permit/site plan review process. This led to multiple rounds of review in Building.
- Some information that multi-family residential applicants believe to be vital to determining the financial viability of their projects was difficult to obtain. For example, the County was unable provide fee estimates for sewer hookups to a multifamily residential applicant. The applicant understood that final fees would not be available until detailed plans were provided but was frustrated that the County did not provide estimates for this major project cost.
- The public hearing process is confusing to applicants. They did not understand why there were two approvals, one by the Planning Commission and one by the Planning director for the same project.

Municipal Advisory Council Interviews

Empowered by state law to represent unincorporated areas, Municipal Advisory Councils (MAC) are established to advise the County Board of Supervisors on a wider range of issues, including planning. There are four Councils in Alameda County: Castro Valley, Fairview, and Eden and in Sunol, the Council is referred to as a Citizens Advisory Council since this is a rural area. As the name implies, MACs are advisory bodies that provide recommendations about all discretionary planning permits in their geographic area.

Permit review by these advisory bodies is a required step in the planning process. To understand the role of the MACs and how well they are working from the perspective of their members, Baker Tilly interviewed the following three chairs of these Councils:

- Chair, Eden MAC
- Chair, Castro Valley MAC
- Chair, Sunol CAC

Municipal Advisory Council Interview Themes

Provide an **opportunity for community members** to comment and surface interests; **valued** by the Board of Supervisors.

Some MAC members do not view continuances for a month or two as significant for business or housing development applicants.

Members **do not receive much guidance or training** particularly regarding land use law and design guidelines.

Inadequate planning application **staff reports** lead to adversarial interactions with staff.

Expressed an interest in being able **to initiate zoning and policy changes**.

Process Mapping

As mentioned previously, Baker Tilly conducted two onsite process mapping sessions in January 2023 to document the primary activities and steps for the entitlement process and the building permit issuance process.

The maps show *key steps and positions responsible*. Process mapping also helped *identify steps that go smoothly as well as impediments or bottlenecks* that may require resolution.

Process mapping participants included representatives from Planning, Economic and Community Development, Fire Department, Environmental Health, and the

Public Works Agency's Building Inspection Department. The final "as-is" process maps are included as Attachment B. Development engineering was not part of the session but was subsequently consulted to contribute to the process maps.

Once County staff validated the process maps, we prepared "to-be" process maps. These maps, included as Attachment C, illustrate recommended changes to the process going forward.

It was apparent this session was the first-time staff had been together in a long while due to pandemic restrictions. Participants were engaged and interested in sharing information with Baker Tilly and one another.

In addition to identifying those areas where development services processes might be improved, the discussion surfaced several inefficiencies and issues, as noted below.

There are gaps in knowledge about the development review process by staff across all development functions.

Development staff reside in different offices across the County, which inhibits collaboration and problem solving.

Planning staff spend significant time supporting advisory bodies.

MAC members (Municipal Advisory Councils/Citizens' Advisory Committee) need better training and guidance on their role. These bodies often impose conditions outside their purview.

Planning staff engage in inefficient practices (e.g., printing applications submitted online and walking them to support staff to create a hardcopy file, delivering advisory body packets and posting project notices).

Environmental Health is often not included in preliminary Planning and Building review processes to identify potential issues.

When an application should be referred to Development Engineering review is unclear.

The fee assessment process for building permits that require both plan check approval and planning permits can delay the start of permit review.

Project Management, Collaboration and Workflow

The four major County agencies and several departments and divisions within those agencies that are involved in the development approval process are briefly described below. They are also shown in Figure 1, the Existing Development Services Organizational Structure.

- 1. Community Development Agency**

- Planning Department for planning entitlement permits
- Economic and Civic Development Department provides permit coaching for businesses

- 2. Public Works Agency**

- Building Inspection Department for building permits
- Development Engineering for subdivisions and grading permits, as well as engineering review for planning and building permits

- 3. Health Care Services Agency**

- Land and water protection division of the Environmental Health Department for hazardous materials and onsite wastewater treatment systems (OWTS)

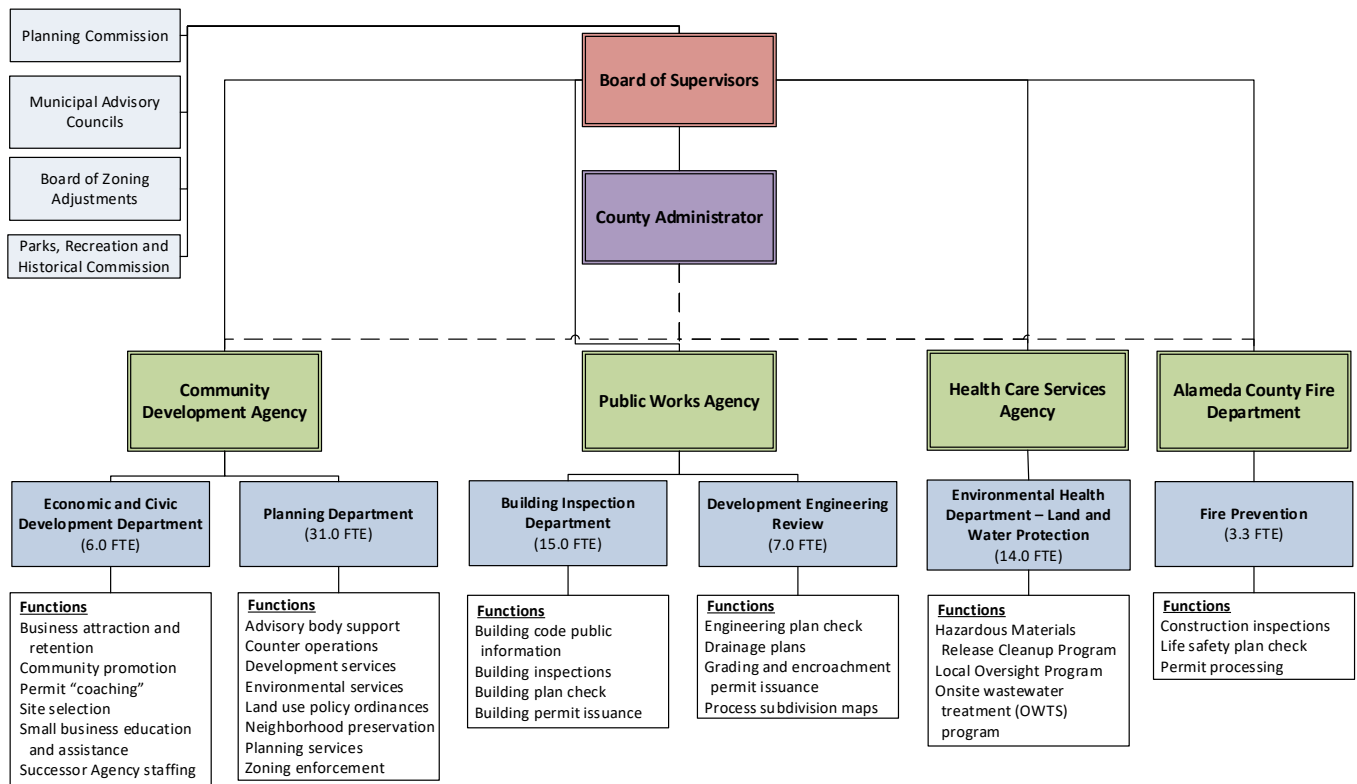
- 4. Alameda County Fire Department⁶**

- Fire prevention reviews both planning and building permits for fire safety

These functions represent those typically involved in most development services projects of any complexity across local governments in California, whether for tenant improvements or new development. Applicants in municipalities may need to go to counties to secure certain permits or obtain clearances, e.g., the health department or environmental health department, while these functions already exist within the Alameda County system.

⁶ For a certain area of the County, City of Hayward Fire Department, rather than Alameda County Fire Department, is the responsible agency for reviewing planning and building permits for fire safety.

Figure 1. Existing Development Services Functional Organization Structure



A new development generally requires a discretionary planning permit, such as a use permit or site development review. Discretionary planning permits require decision makers to exercise judgement and deliberation. These discretionary permits start in the Planning Department, go through an internal review involving the agencies shown above in Figure 1 and other utility agencies in Alameda County.

Discretionary projects also go through a public review process discussed further in the *Streamlining the Public Review Process* section. This process results in an approved planning permit or entitlement with conditions that must be implemented during the building process.

The building permit itself is ministerial, meaning that the basis for approval is the determination that it complies with a set of codified standards. Building permits for development projects with approved planning permits must also comply with the Planning permit conditions.

In the building review process, several agencies need to be involved as all the conditions from the Planning permit must be met, as well as requirements from other agencies, such as Environmental Health for OWTS and development engineering for final street and road design. For the applicant, the public, and the

staff, this means there are many different groups involved in development decisions.

For the development process to work well, there needs to be strong coordination and a shared mission across the development functions.

Development Review is Iterative, Requiring Close Coordination and Collaboration

In addition to the number of agencies involved in development review, the process is also iterative. Plans are submitted and comments are made by one or more of the reviewing agencies, which often require changes to the submitted plan. Depending on the change(s) required, other agencies may also need to review the revised plan to ensure the changes do not negatively affect them. For example, the Fire Department or Public Works may require that a roadway be modified, which affects setbacks, parking, or the landscape plan reviewed by Planning.

Insufficient Coordination Can Lead to Lost Time and “Late Hits”

Poor coordination between agencies can add weeks or months to both the entitlement and building plan review process. Lack of coordination can also contribute to what is often referred to by applicants as a “late hit.” This is an issue being identified late in the process that requires significant changes to the proposed project.

A late hit can occur when each agency is working on its own issues and another agency discovers something that may have been fine or not addressed originally but needs further change in response to what another agency has required. The applicant views these as constantly changing requirements and “moving the goal post,” although it is often due to a lack of communication between agencies.

Someone Needs to be In Charge to Ensure Customer Service Through the Process

One of the most common areas of agreement between customers and staff in Alameda County is that there is inadequate communication between departments and that an integrated and coordinated approach to development review is lacking. Staff referred to the “hub and spoke” nature of development review with each department having its own set of issues that must be addressed (“spokes”).

Baker Tilly was unable to determine that any one function oversees the development review process from beginning to end or within Planning and Building, which is typical in streamlined development services functions.



For the spokes in a wheel to function effectively, a strong hub is required to hold them together.

In discussions with staff, it was clear that each department thinks of itself as a “spoke” with no one department or individual acting as the “hub” for a Planning entitlement or Building permit. *Staff and applicants who were interviewed commented that the review process felt disjointed between various reviewing departments and when issues arose in one department, the applicant needed to resolve it themselves with that department or agency.*

Some observations

- For any projects that are complex, customers are on their own, navigating between departments and potentially conflicting requirements, with each agency focused on its own issues and interests.
- Customers felt that staff members were not sufficiently concerned with their interests.
- Applicants talked about how they turned to elected officials or their staff to keep their project moving when they could not find a collaborative problem-solving solution.

In other counties, Contra Costa and Santa Clara for example, planners act as project managers during development review, so the applicant has a point of contact for their issues throughout the entire process. As is discussed in more detail elsewhere in this report, during our review period, Alameda County planners are not empowered or trained for this role.

Locational, Operational and System Constraints

Baker Tilly recognizes that Alameda County has some location and operational constraints that inhibit close coordination and collaborative problem solving in support of streamlining development services.

The agencies involved in development review are in different buildings and different geographic areas within the County, which creates physical constraints to collaboration. Fire staff are in the City of Dublin and Environmental Health staff are in the City of Alameda. The use of teleconferencing during the pandemic made this physical constraint easier to overcome.

During the pandemic, most pre-application meetings were discontinued. Regular joint project review meetings with other departments have not occurred for a long time. These changes were a setback for coordination, problem solving, and customer services.

Email and drop boxes **cannot take the place of an *integrated* development services permitting system** that reflects a seamless functional workflow.

As is discussed in more detail in the Development Permitting Section, technology is being used inconsistently to help staff and applicants track permits and identify issues that require coordination.

Building and Planning in Different Agencies

Across California, the planning and building functions are typically located in the same department or agency. Table 7 shows that seven of the nine Bay Area counties organize planning and building in the same agency/department.

Table 7. *Planning and Building Functional Alignment in Bay Area Agencies*

County	Location of Building Function	Same Department as Planning
Alameda	Public Works Agency	X
Contra Costa	Department of Conservation and Development	✓
Marin	Community Development Agency	✓
Napa	Planning, Building and Environmental Services	✓
San Francisco	Department of Building Inspection	X
San Mateo	Department of Planning and Building	✓
Santa Clara	Department of Planning and Development	✓
Solano	Resource Management Department	✓
Sonoma	Permit and Resource Management Department	✓

Organizing both functions in the same agency makes sense because building and planning functions need to be closely aligned across the spectrum of development services. For a coordinated and collaborative development approval process to occur, there needs to be a smooth transition from the planning entitlement to the building phase.

Ensuring that the conditions of the planning permit are implemented during the building plan check and inspection phase is essential. This is much easier to accomplish when they are in the same agency under the same director with a common vision and mission. When problems arise, it is more efficient and effective for staff to resolve issues within one agency under one director.

New State Law Will Put Greater Pressure on Streamlining

Recent changes in state law reinforce the need to locate the Building Department in the Community Development Agency. Assembly Bill 2234 (see page 12) will go into effect in January 2024. *Major changes to the building permit process for residential development will dramatically shorten the time allowed to complete building permit review and grant a building permit.*

This law was passed because of concern with the delays that housing projects were experiencing during building permit review across the state. AB 2234 requires that all issues get resolved very quickly, since *building, grading, and other ministerial permits for residential projects must be issued within 30 to 60 days after a ministerial permit application is found complete.*

Meeting this timeframe will require close coordination with planning staff. Ideally, most issues will get resolved during the planning permit phase, so the building permit phase becomes streamlined. For complex housing projects, building and development engineering staff often need to be involved in problem solving from the beginning of development review.

The County's current functional organization structure contributes to siloed departments that inhibit information flow and problem solving. We recognize that the bifurcated functions of building and planning have existed in their current configuration for a long time in the County. Nonetheless, we suggest that when an opportunity presents itself, they be merged within the Community Development Agency.

Recommendation 1. Merge the Building Inspection Department with the Community Development Agency when the opportunity arises, reporting directly to the Agency director.

Recommendation 2. Reinstate inter-departmental pre-application meetings with applicants as an essential part of coordination on projects and meeting legally mandated timelines for residential projects.

Project Management is Key to Streamlining Processes

As we have emphasized throughout this report, the development review process is complicated. It involves multiple agencies and multiple disciplines, each of which must apply their expertise in reviewing project submittals. Putting it all together is like fitting together a complex puzzle where some of the pieces can change shape while doing so.

Today, each County agency sees its piece of the puzzle and enforces its regulations but no one on staff is looking out for how things fit together into a coherent project that meets County requirements. Nor are the interests of the applicant consistently addressed. This becomes particularly problematic for complex projects.

No one in the County is responsible for keeping a project moving through the process by tracking turnaround times and identifying where it may have gotten stuck and then bringing the parties together to resolve the presenting issues.

As mentioned previously, applicants typically must navigate the process on their own, tracking down where and when it gets stuck (to the degree they can find out), responding piecemeal to issues raised by each agency and mediating between agencies when conflicts arise. This can lead to a great deal of time and frustration on the applicant's part.

A best practice by development services functions (both county and city) throughout the state is for someone on staff to act as a "project manager," responsible for moving the project forward and addressing bottlenecks as they arise. Typically, this involves one person during the entitlement phase (usually the assigned project-planner). During the building phase, the person in this role is often a plan checker. One county staff member with whom we spoke has had success with the planner acting as the project manager all the way through the process.

What is Project Management?

Simply put, in this context, a project manager's job is to facilitate the development services process review progress across disciplines.

Project Management means:

- Acting as a **single point of contact** for the applicant,
- **Tracking the project review progress through the various agencies and seeking to meet agreed-upon turnaround objectives,**
- **Convening meetings with other staff to resolve issues, and**
- Being **"in the loop"** of communication between the County (all agencies) and the applicant.

A project manager is not expected to be a subject-matter expert on all aspects of the project but may facilitate meetings with subject-matter experts to move projects along. A project manager is not a project advocate, but a facilitator of the process. A project manager is not charged with ensuring the successful approval of a project, rather the goal is to provide customers with the information and guidance required to be successful.

Project management is a skill that requires training. It is likely to be uncomfortable for a planner, for example, to assist in resolving issues outside their normal purview (e.g., engineering or fire). But how to facilitate resolution of issues without impinging on the role or expertise of others is a skill that can be taught.

For a project manager to be successful:

- They must have training and be empowered to do so.
- All agencies and departments must recognize that it is the project manager's job to **resolve issues and keep a project moving forward.**

A project manager must also have the tools to manage the project. This means using a *permit tracking system with clear turnaround objectives*, all reviewing departments using the same system, and having a central repository for all the information and communications related to the project.

Recommendation 3. Establish a culture of collaboration and problem solving. This begins with a clear understanding of staff's goal during development review: to provide customers with the information, guidance, and assistance they need to succeed.

Recommendation 4. Develop and implement agreed upon turnaround protocols for each project and permit type across functional disciplines. Once these have been agreed upon, they must be tracked and monitored to understand whether they are being achieved. If they are not being achieved, the bottlenecks or staff deficiencies must be identified and addressed.

Recommendation 5. Implement a management information system in the development permitting system to track and monitor planning and building applications across all County agencies. Ensure the system is used by all departments involved in development review and provide regular reports for directors and staff.

Recommendation 6. Assign, train, and empower planners as project managers responsible for tracking and monitoring projects and resolving issues across disciplines during the entitlement phase.

Recommendation 7. Assign, train and empower designated building staff to be responsible for tracking and monitoring projects and resolving issues across disciplines during the building permit process. These are typically plan checkers but can also be technicians.

Recommendation 8. Identify issues early using comprehensive checklists and pre-application meetings, sequencing the process so key issues are identified and resolved early (e.g., toxic issues and OWTS, and engineering).

Recommendation 9. Ensure a smooth project management transition between the entitlement and building permit phases of a project.

Staffing Levels

Although Baker Tilly was tasked with looking at the adequacy of staffing levels that support the development review process, we were unable to do so for the following reasons:

- Limited workload and turnaround performance data,
- Inefficient use of staff in some areas,
- A staff-intensive public review process, and
- Inefficient workflows.

However, while we did not analyze the position data across the major development services functions, we did hear significant frustration from staff about how long it takes to recruit and fill positions in the County. If all positions were filled, and vacancies were filled in a reasonable period, it may be that the various functions are sufficiently staffed.

The issues that contributed to our inability to assess the adequacy of staffing levels are described in more detail below.

1. ***Limited workload and turnaround performance data.*** Based on the anecdotal evidence of our case studies and interviews, we believe that the ***Planning entitlement*** process may be slower relative to other jurisdictions. We do not know and are unable to determine if the County's turnaround time and lack of detailed review by some disciplines during entitlement is a workload issue or caused by other factors. However, because Planning does not track project turnaround information, there is no data to confirm that conclusion and no way to know whether, if true, this is because of inadequate staffing or other reasons.

We were told that most ***building permits*** projects are processed either automatically or within a day or two and were provided summary data in support of that assessment. However, building permit data are ***not aggregated by permit type and information on turnaround times for more complex projects*** such as large housing or mixed-use development and commercial projects were not provided beyond those of the case studies.

While these may be a small percentage of the total number of building permit applications, *they are the critical projects contributing to meeting housing needs and providing local employment.*

Anecdotal information based on our case studies indicated that first-round turnaround for more complex projects is in the range of two to three months. This is much longer than the best practice timeframes we have found for complex projects, which are a 20-to-25-day turnaround. We also found that, due to land development engineering not engaging in the details of the project until the building phase (rather than during entitlement, which is typical), some basic development design issues were taking months and multiple rounds of review during building permit review to resolve. These issues could and should have been identified and resolved earlier during entitlement.

We were not provided with information on *Environmental Health* turnaround time, although staff believe they are quite responsive to the applicant's critical path timelines. Anecdotal information and our experiences suggest that because the review process is highly technical and dependent on the applicant's consultant, and because, too often, this review begins late in the process, it requires multiple rounds of submittals and often takes many weeks or months to complete. Although staff in the OWTs Division indicate some workload stress, it is unclear whether that is because of insufficient staffing or because they are always under pressure to perform quickly because they are starting too late in the process.

2. *Inefficient use of staff in some functions.* It is also challenging to assess staffing levels when staff are being used in inefficient ways. For example, planners are spending too many hours each week staffing the public counter. Although the public counter was closed until very recently, the planners assigned to the counter spent many hours each week responding to customer questions received over the phone or email, many of which are quite basic.

Planners were also reviewing building permit applications for zoning issues that clearly had no zoning issues (see below). Today, with the counter open, those same tasks apply, and planners are responding to people walking in with many of the same basic questions.

While having knowledgeable people at the counter is good customer service, because so many questions are not highly technical, many jurisdictions find it is more cost effective to staff the counter with planning technicians and have a planner available to answer questions that are beyond the expertise or training of the technician.

Planners are also hand-delivering packets to advisory body members for various public meetings when the packets are delayed (often) and cannot be mailed. And finally, planners are posting public notices on telephone poles and other places near project sites in addition to mailing notice to nearby properties. In a county as large as Alameda, this old-fashioned and outdated way of providing notice is requiring too many hours of professional staff time. It has been abandoned by most jurisdictions throughout California and is not required by state law.

We understand that planners are also reviewing many building permit applications prior to processing by the Building Inspection Department. While planners often need to provide early review of building permits for conformance with the Zoning Ordinance, the Building Department should be reviewing them for completeness and filtering out those (likely most) that do not require zoning review (e.g., residential projects involving no exterior changes, or commercial projects that do not involve a change in use).

3. *Inefficient workflows.* Many inefficient practices were identified during process mapping. For example, planners are printing and walking project files to administrative staff to create paper files, in addition to electronic files. We also understand that the process for calculating and generating building permit fees is done by staff on the backend and then entered into the system to invoice the applicant. This requires multiple steps rather than being automatically calculated and accepted in the building permit portal as part of an application.
4. *A staff-intensive public review process for both staff and the applicant.* As will be discussed in detail below, the County's current public review process is unnecessarily complex, which leads to significant staff time devoted to preparing staff reports and packets (and delivering them). We were told that planning staff must assemble as many as 12 public review packets per month. Recent changes in state law that will limit the total number of public hearings that can be held for residential development projects may reduce this significant staff effort, depending on policy decisions regarding the reviewing bodies.

For these reasons, we cannot say with any degree of confidence that the County has too few or the right number of staff for development review. Since much of this report is devoted to recommendations for making more efficient use of staff and streamlining the development services review process, they will not be repeated here.

Development Services Fees and Cost Recovery

Due to the way information is presented in the County's budget, Baker Tilly was unable to analyze the development services revenues and expenditures for building and planning. Typically, we would review expenditures against revenues to determine the extent to which the County's General Fund or other funds may be subsidizing development services.

We understand that Planning's project deposits have only been raised twice since 2008, although deposits may be modified as needed for "at cost" projects (most applications). It is unclear if this is done, the extent to which deposits recover the costs of service for such projects or whether flat fees cover the costs of the associated permit. Estimates from the Community Development Agency suggest the County may be subsidizing its current development function.

We did not conduct any assessment of Building's revenues and expenditures; however, most such functions in California are able to recover their costs through their fee structure.

Similarly, we did not assess the fee structure for Environmental Health. Environmental Health staff, though, did state they felt constrained to provide advice and guidance to applicants until an application was made and fees paid. This, then, can be an obstacle to development services customers in obtaining sufficient information to know how to proceed.

Our experience is that the priority for development customers is predictability and they do not object to paying reasonable fees in support of that objective.

Baker Tilly believes it is important for the County to be aware of the extent to which the General Fund subsidizes development services so that informed choices may be made about the extent to which this is appropriate. Exceptions to full cost recovery are made on a policy basis when a public benefit is deemed to over-ride the value of recovering full cost.

Some building permits, e.g., water heaters, do not recover the cost of issuing the permit or providing the inspection but the public safety benefit that results outweigh the need to recover the full cost.

Current development planning functions, though, should seek to recover most of the costs of providing entitlement approvals through an appropriate and accountable fee structure, in accordance with state law.

Recommendation 10. Conduct an analysis of and update the Planning current development and Environmental Health permit fee structures in support of improved customer service and recovering additional costs for providing these functions.

Integrated Permitting System Across Disciplines Is Critical

Effective and efficient development services rely heavily on a development permitting system that integrates workflow across the disciplines involved in the process.

Until and unless this occurs, staff will continue to find it difficult to keep projects moving and effectively monitor workload, and applicants will continue to be frustrated because of information gaps and the lack of predictability.

Permitting Software System

The County utilizes the MaintStar (vendor) permitting system initiated by the Public Works Agency to process building permits and track planning permits and code enforcement cases, among other applications. The Planning Department is transitioning to MaintStar to process permits by the Community Development Agency, but the system has not been completely implemented and what has been implemented is not being consistently used to track projects through the process in real time.

Table 8 lists the modules and services authorized for purchase to date, which is based on staff reports to the Board of Supervisors.

Table 8. *MaintStar (Permitting System) Contract Authorized by the County*

Board of Supervisors Meeting Date	Purpose	Modules/Services
July 21, 2015	Provide public access to encroachment permit activities	<ul style="list-style-type: none">• Citizen Portal Module• System Implementation• Annual Support
December 1, 2015	Installation of test and training environment	<ul style="list-style-type: none">• Licensing and Maintenance
July 11, 2017	Replace outdated and unsupported permit issuance software for building permits, code enforcement and planning.	<ul style="list-style-type: none">• Electronic Payment System• Code Enforcement Module• E Plan Review Module Integrated with Citizen Portal (five user licenses)• System Implementation (files configuration, data conversion and training)• Planning and Zoning Department Automation (including historical data conversion)• Planning and Zoning KPI Dashboard

Board of Supervisors Meeting Date	Purpose	Modules/Services
May 21, 2019	Provide additional modules and support to both Public Works and Community Development in permitting process	<ul style="list-style-type: none"> • Building and Construction Operation • Citizen Portal Configuration • Electronic Documents Interface with P8 Document Management • Citizen Portal Custom Development to secure sensitive documents • Onsite training for Community Development staff
November 11, 2021	Custom improvements to support public online permitting, increase capabilities; communication and coordination between agencies in the review and approval of development review process	<ul style="list-style-type: none"> • Building Department Operation Request List (~ 95% complete) • Planning Department Operation Request List (~ 75% complete)
TBD	Department of Environmental Health use of permitting system	<ul style="list-style-type: none"> • Environmental Health has begun preliminary discussions with MaintStar. They are developing a list of specifications on what they need and will provide a proposal.

To date, modules have been authorized and either have been or are in the process of being implemented for the following development services functions:

1. **Building.** Implemented with change and improvements continuing. Building's workflow includes referrals to other departments and agencies. Building has licensed the electronic plan review software from the vendor for some, but not all, reviewers.
2. **Planning.** Implemented for internal users; changes and improvements are continuing with the planning team, including implementation of online portal. Planning's referrals are currently done outside of the permitting system.
3. **Environmental Health.** Staff have met with the vendor to develop a list of specifications; proposal from vendor to follow.
4. **Development Engineering.** Participates via referral through the building workflow, and currently through emails from Planning.
5. **Fire.** Staff participate via a referral through the building workflow. They log in to the permitting system to update their comments but do not use the electronic plan review module. Fire attaches a document to their referral with comments; the applicant can then view the document via an online portal. For planning referrals, staff send an email to Fire staff who then use a secure electronic document link to make comments. There is no interface to the permitting system.

Typically, an agency would acquire electronic plan review software licenses for all users (reviewers) across disciplines. Baker Tilly understands that the vendor

works with each department separately to implement the modules and custom requests. *This suggests to us that there is little horizontal workflow integration encouraged or anticipated.*

Typical Software Selection Process

A typical software selection process would include the following essential elements prior to a selection:

- *Interviews with all the potential users across disciplines* to develop a list of requirements for features and functions;
- A *discussion* about opportunities to automate manual or labor-intensive processes;
- *Identification of current challenges* faced by the respective operations;
- *Analysis* of specific needs such as workflow, reporting, and integration; and
- Assurance that *common functionality exists* across all modules and is in place (e.g., integrated workflow, search, reporting and analysis).

Baker Tilly is unable to determine whether County staff went through this process during its selection of the permitting system. We were told that after the July 2017 contract, a collective effort by various disciplines was used to implement and migrate from the previous solution. Staff began to use the new software in March 2020. Building staff state that they meet weekly with the vendor to discuss change and improvements.

During our interviews, Planning staff reported a lack of functionality and capabilities, especially in relation to the public-facing aspects of the system. They also indicated there are limited reporting capabilities. Some stated they did not find the system helpful and were not using it for project management purposes. Nonetheless, the Planning Department is in the process of implementing custom modifications and additional features. However, we do not know if that work will address the issues raised by staff.

Basic System Changes and Maintenance

Baker Tilly conducted interviews with County staff and the vendor's project manager to understand how the system was being used. Issues mentioned by staff include weak reporting capabilities, difficulty tracking process/work outside the permitting system, and lack of functions (e.g., processing payments, status reviews). The vendor's project manager represents the system as a fully functional integrated permitting system. It is not clear if the system could implement the examples cited by staff, or if it would require custom modifications.

The vendor's project manager also indicated that the County made a business decision to contract with the vendor to manage the backend configuration such

as adding permit types or changing workflow. Building staff stated there was a high level of technical skills needed to do this type of work. However, it is our experience that typically this should be accomplished by in-house staff after being trained.

The custom improvements contract approved at the November 2021 Board meeting appears to reflect this business decision. Using a vendor for such improvements can be costly, and we suggest determining those tasks that could potentially be accomplished by trained County staff following the implementation of the remaining custom modifications.

Recommendation 11. Train appropriate staff to be able to implement additions and changes to the system. (e.g., codes, permit types, workflow).

The vendor's project manager maintains that they are continuing to enhance the product, add features and capabilities, and these are discussed with each department's project manager. Some staff are hesitant to change and want to continue to do business as they have in the past.

As a result, department project managers' implementation progress varies based on the amount of management attention applied to implementation, new ways of doing business, the amount of training provided, and a mandate to use the system.

Implementation Workflow

The reason we focus on the horizontal nature of any permitting review process is because when a process crosses agencies, multiple departments are involved, and it is necessary to have a clear and easy-to-understand workflow in place.

Workflows allow the administrative sequence of a process to intake information, provide a review, apply appropriate requirements, and produce an output, e.g., a permit.

As the process maps show, in an integrated process, each discipline has a functional responsibility. At any given time, the responsible reviewer should be able to see where they are in the process (e.g., awaiting review, completed, waiting for fees to be paid). Communication and monitoring of the workflow are critical.

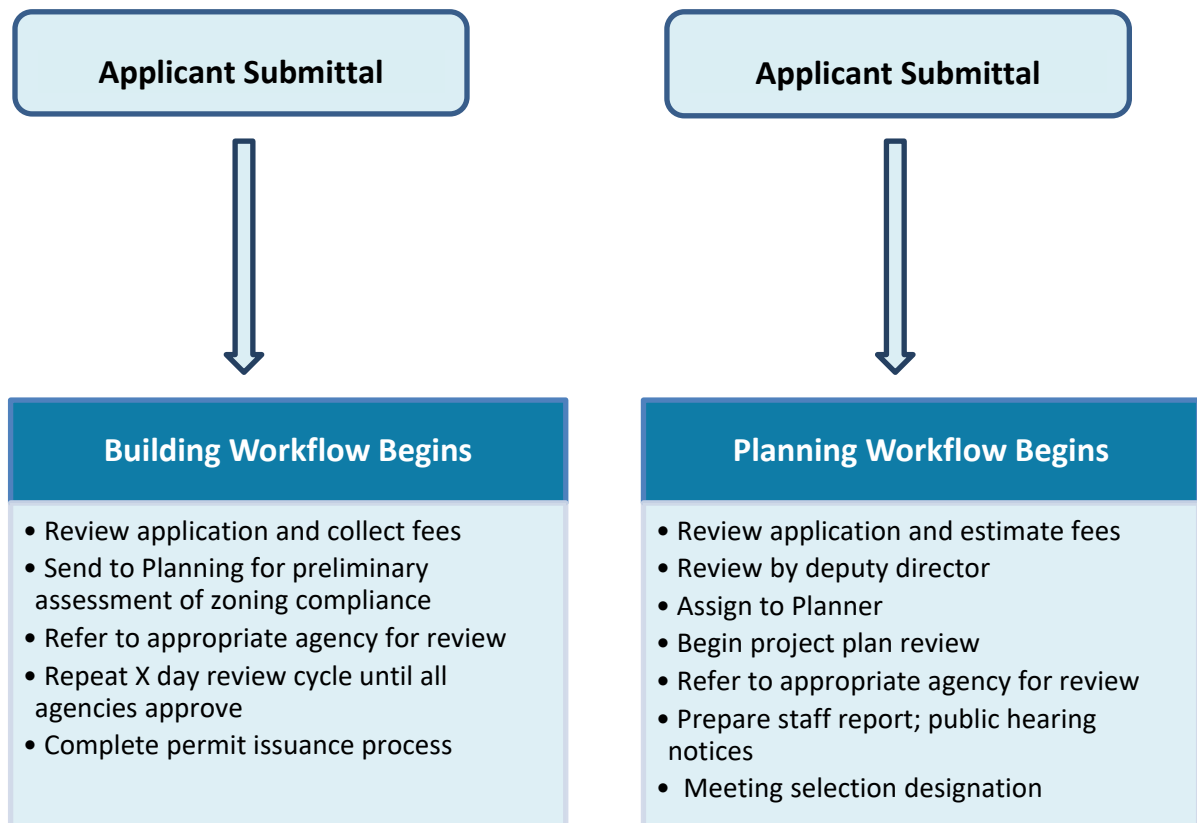
An integrated permitting system allows for each process in the sequence to be defined and shown in a graphic manner.

Existing Workflow

The County's permitting system allows each permitting agency the ability to define their workflow. The current workflow includes the ability to require

certain pre-tasks (e.g., application completeness, calculate and collect fees), route for review (e.g., select appropriate agency, repeat as necessary) and finalize a permit. 2 below shows at conceptual level how the permitting system workflow is currently configured. (The actual sequence may not be quite up to date.)

Figure 2. Conceptual Permit System Workflow



Status of Review

The ability to view the automated workflow tasks in an organized, easy-to-understand interface is especially useful when the responsibilities cross disciplines.

Development review can be repetitive to allow for corrections by the applicant or the ability to provide additional information necessary for approval. By establishing a specific review timeline (X days) for each component, staff and the applicant should be able to view those deadlines. Both the internal and public-facing interface views should provide useful information at a glance, to understand where the permit is in the review process and what additional information may be required.

For example, the review status categories for the various disciplines in use by Building are:

- Approved,
- Corrections Required,
- No Review Required, and
- No Review Performed.

These are often accompanied by comments or a description of what still may be required. Some applicants, though, stated it was difficult to understand the status of their project from some of the disciplines. For instance, does the applicant know what *No Review Required* or *No Review Performed* means?

If a reviewing function misses a deadline in Building, staff changes the status to *No Review Performed*. This is done to end a review cycle that then allows the applicant to respond to any comments that may have been made and another new review cycle then begins.

Baker Tilly was unable to determine the status categories intended to be implemented, except on a conceptual level. From a project management perspective, missed deadlines or an applicant's resubmittal for the same reviewer would be good to document and monitor.

The ability to *view information in a meaningful manner* is needed to manage the work and inform applicants.

- Are the data organized to capture things that need attention (deadlines)?
- Are the data clear or does someone have to clarify it?
- Is the information organized to show who is responsible (accountability)?
- Does the workflow include email reminders about outstanding deadlines?
- Does the workflow include an escalation process when deadlines are missed?
- Can the project manager clearly see the status to ensure projects are moving?

Workflow to Assist Project Management

Managing the workflow is critical to discover, analyze, measure, improve and optimize any business processes.

The handoff between agencies (development services functions) identified in this report do not always work well. *A feedback mechanism that allows constant improvements to address workflow management should be under the purview of an overall permitting project manager with input from the managers in each discipline.*

All disciplines should work to support a singular goal of improving the internal and external experience. Continuous improvement requires refining and updating workflow process improvements. Workflow changes can be programmed to help improve outcomes.

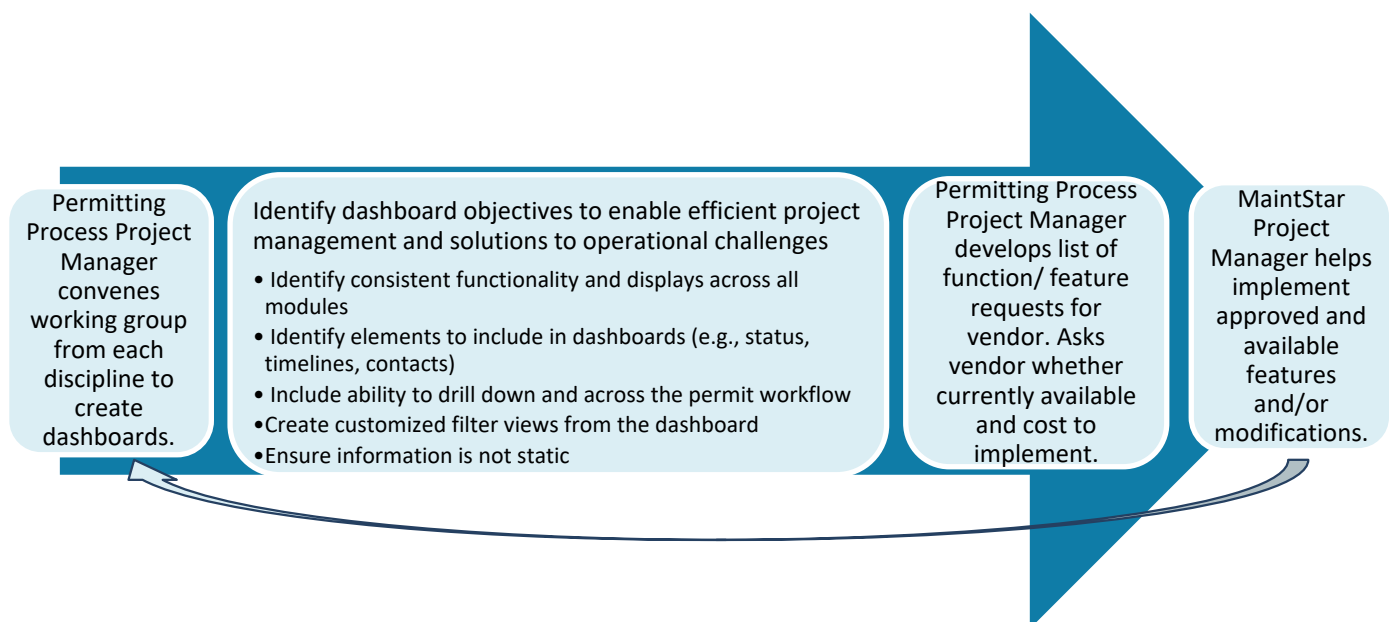
Dashboards should be developed to display information in a useful way across all disciplines (e.g., building, planning, environmental health).

Conceptually, implementation will require a working group to develop tools for improved project management to:

- Ensure the ability to clearly see the status of a permit and accountability for meeting established timelines.
- Evaluate how changes to workflow will assist with business process improvements.
- Identify any manual or labor-intensive processes that would benefit from automation and schedule those to be automated.
- Discuss current operational challenges and identify workable solutions.
- Utilize common functionality across all disciplines where possible (e.g., workflow, reporting, and integration) to promote common functionality.

Figure 3 below demonstrates the broad steps to implement dashboards to improve workflow and project management in the permitting system .

Figure 3. Steps to Implement Dashboards to Enable Project Management



Recommendation 12. Identify and assign a permitting process project manager to work across departments to assist with dashboard development and provide general oversight to monitor progress, discuss issues, and respond to requests.

Implementation Project Management, Roles, and Responsibilities

Business software system implementation is most successful when it involves a team across business units with clear roles and responsibilities. Executives and managers need to champion the project, mandate participation, and require adoption of the new system by all staff.

Each department needs:

1. *A primary contact to function as the project manager* with authority to oversee implementation, schedules, ensure resources are provided, and coordinate project activities.
2. *A staff person with authority* who understands the operational business requirements to review and approve deliverables and ensure requests for information are produced by deadlines.
3. *A subject matter expert* to support the project. This typically includes testing, validating, and providing specific technical details as needed.
4. *A technical staff liaison* may also be needed to interface with department staff and the software vendor.

For all these roles, staff will need the *capacity to respond promptly* to keep the project on schedule.

New Opportunities to Revisit System Configuration

Baker Tilly believes the process mapping and workflow reviews provide an opportunity to revisit the system configuration of portions of the permitting system to ensure certain objectives are achieved.

Key objectives should be to:

- Include the ability to track and monitor status,
- Automate permit fee calculations and institute the ability for the applicant to calculate,
- Utilize performance indicators to track metrics, and
- Enhance services via the public portal.

Recommendation 13. Revisit the permitting system setup and configuration to incorporate agreed upon changes to the process improvements in this report.

Recommendation 14. Convene a working group from all disciplines to evaluate the current state of the system and opportunities for improvement. Work with the vendor to determine if the current contract can accommodate the improvements. If it cannot, then understand the cost to implement.

Recommendation 15. Assign staff in each department to key roles responsible for supporting the permitting system.

Recommendation 16. Utilize the software to incorporate performance measurements into the workflow to monitor workload and ensure accountability.

Recommendation 17. Develop protocols and documentation to require staff to input accurate and up-to-date information.

Not all staff have the same level of knowledge related to how to use the software system. This limits staff from understanding the capabilities available that can enhance the potential information that could be used by low-level staff up to and including decision makers. Inconsistency in how and when to enter information and ensuring it is entered in the first place also leads to unreliable data.

The November 2021 custom modification requests appear to add functionality and features that will be useful to staff and external customers. Training resources are included in the scope, which presents an opportunity to provide training on the entire system based on the latest version.

Recommendation 18. Require the development permitting system vendor to train all staff on the systems and their application and to provide online training resources.

Performance Measures and Accountability

Establishing turnaround times for development permits is an important part of a customer-oriented, accountable process. Turnaround times effectively provide a way to measure performance. They also provide vital information for applicants and staff with respect to expectations and accountability.

Applicants Baker Tilly interviewed stressed the *importance of predictability* and knowing *what is causing delays* in their development review. It can be challenging and costly for applicants to plan their construction schedule when they are unable to understand where they are in the development review process and how long the additional steps in review may take.

Estimated turnaround times provide applicants with the predictability they need. Even when there are substantive reasons for delays, (i.e., delayed reviews, incomplete information, or unknown issues that may have emerged), applicants want to know the impact. *Turnaround times help staff identify* where there may be bottlenecks and outstanding issues, so they *can address problems quickly* and *keep development projects moving*.

Estimated Timelines and Turnaround Times

Alameda County has established some building and planning timelines for various project types. However, they are not easily found nor are they published on the respective websites.

Estimated Timelines

Estimated timelines let an applicant know the length of time that will generally be required to obtain a permit from the date of a completed application to receipt of their building permit or entitlement approval.

Building. In a presentation before the Board of Supervisors Transportation Planning Committee in October 2022, the Public Works Agency provided the information in Table 9 for specific building permits.

Table 9. Building Department Typical Permit Processing Timelines

Timeline	Type of Permit	Percent of Permits Issued
One day or less	<ul style="list-style-type: none"> Residential water heater, reroofing, heating ventilation and air conditioning, Energy storage systems Solar photovoltaic with energy storage system Window door replacements Electric panel upgrades 	Represents 50% of issued permits
Within two weeks	<ul style="list-style-type: none"> Demolition permits Minor residential remodel Volunteer seismic retrofits Cell site upgrades Minor tenant improvements 	Represents 35% of issued permits
Two to six weeks	<ul style="list-style-type: none"> Accessory dwelling units (ADUs) New single-family residence Residential additions and major remodel Major tenant improvement New commercial buildings 	Represents 14% of issued permits
More than six weeks	<ul style="list-style-type: none"> Major multifamily developments (10 plus units) Tracked and parcel maps Wind turbines Solar farms 	Represents less than 1% of issued permits

Once an account or application for a building permit is established through the Agency's building portal, an applicant can then view an internally maintained milestone chart for a particular permit. The timelines set forth in Table 9, however, are not documented on the County's website where applicants can see them.

Planning. Estimated time periods for Planning approvals based on permit type were not available. Planning approvals, though, are often more difficult to predict as land use is subject to extensive community engagement, environmental review, and review and approval by various advisory bodies. Some planning project types on the County's Community Development Agency website do include an estimated timeline. However, one must access a specific application guide to find it. For example, the following wording appears in a "Guide to Applying for a Conditional Use Permit."

How long is the process? In most cases, two to three months, depending on the proposed use and the complexity of the project. Some applications will require much more time to process. An appeal will add approximately two months to the processing time.

This is certainly helpful information to an applicant, but it is not easily discoverable. Estimated timelines for all major permit applications should be published in one place, easily visible on the Community Development website.

Turnaround Times

Turnaround times set a specific timeframe for internal review for each major project type by a major reviewing function. For example, during entitlement, a project's planning application is sent to several agencies within the County for review. These "referrals" are sent with an associated turnaround objective (typically three weeks), depending on the complexity of a project. A project manager would use these turnaround objectives to keep projects moving and identify where a project may get stuck.

During the building permit review process, a similar referral process occurs when detailed building and site plans are sent to departments inside and outside of Public Works. These require a date for comments to be returned. In addition, Building has turnaround objectives for its own plan-check for conformance with the building code. Typically, there is a turnaround objective for the first round of review, and a shorter turnaround objective for subsequent reviews. (These can vary depending on the response by an applicant.)

Turnaround objectives are typically established based on project complexity. A single-family home referral in an urbanized area, for example, would typically have a shorter timeframe for review than a proposed multi-family project. These, in turn, can then impact estimated timelines. Routine building plans, such as single-family home remodels will typically have a quick turnaround objective in comparison with more complex multi-family development projects. *In our experience, first round turnaround times for more complex projects are usually around 20 to 30 days.*

Turnaround objectives, especially during the building permit phase, are intended to be both internal and external facing. Internally, they are used by project managers to help keep projects moving and on track. Externally, they allow applicants to monitor their project's progress through the review process against estimated timelines. The Building Department provides access in its public portal for applicants to review the status of various reviews, but our review of the case study documentation suggests this can be confusing. It is also not always clear why some reviews are delayed, especially when the portal says, "No Review Performed."

Very simple building permits, such as those for residential water heaters, window replacements, and reroofing are issued automatically, which constitute almost half of all building permits in Alameda County. Once an application is made for a building permit through the Building Permit portal, an applicant can

obtain turnaround times for simpler projects. These less complex projects make up the bulk of Alameda County's building permit workload.

Baker Tilly conducted a review of some comparable jurisdictions to understand their turnaround goals from application to first round of comments. They are provided in Table 10.

Table 10. Comparative Agency Building Plan Check Review Turnaround Time

Jurisdiction	Goal for turnaround time of building plan reviews from application intake to first round comments
Contra Costa County	None posted
San Mateo County	30 days
Santa Clara County	4 to 6 weeks
City of Hayward	None posted
City of Berkeley	15 business days
City of Pleasanton	15 business days
City of Dublin	10 to 15 business days

Complex Projects Appear to Be More Challenging

Planning information about entitlement approvals for complex projects was not available as it has not been consistently tracked in a development permitting system. Therefore, our review was confined to the case studies selected by staff. The entitlement process in these cases moved forward successfully. However, as stated previously, this will not always be the case as land use approvals can be unpredictable and lengthy, particularly for residential housing.

The case study post-entitlement plan check processes that we reviewed, though, suggest these complex projects can be challenging for applicants. Building staff note that there are less than 100 complex projects each year. However, these are the projects important to the sustainability of the County's economy and for meeting housing needs.

These complex development projects are where time-consuming problems and delays are most likely to occur. Projects such as multi-family housing and rural housing with an OWTS are where established turnaround times for each reviewing function add the most value. An established turnaround time that is monitored and followed up quickly can help identify and resolve issues and avoid delays.

Based on information provided by Building staff, two weeks is the standard building plan check turnaround expectation for the first round of comments that applicants can expect for complex projects. However, *during the case study review and the permit mapping sessions*, Baker Tilly found that building plan review turnaround times for *the first round of comments from building and*

development engineering staff were sometimes taking two to three months.

Following the initial two weeks, applicants then started to call County staff to find out what was happening because they were unable to assess the status in the public portal.

Table 11 provides an example of published plan review turnaround times for each discipline involved in development services in the City of Walnut Creek.

Table 11. Walnut Creek's Published Plan Review Turnaround Times (in business days)

Processing Information			First Review						Subsequent Rechecks and Revisions					
Category	Project Type	Sets of plans required	Planning	City Arborist (consultation)	Engineering	Traffic	Building	Maximum Time	Planning	City Arborist (consultation)	Engineering	Traffic	Building	Maximum Time
Residential (single family and duplex only)	New	6	15	10	20	15	23	23	10	10	10	10	18	18
	Additions	5	10	10	15	-	18	18	5	10	10	-	13	13
	Alterations	5	5	10	10		13	13	5	10	10	-	13	13
	Demolition	5	10	10	10	10	13	13	5	10	5	5	8	13
	Pools	4	10	10	10		13	13	5	10	5	-	8	13
Commercial (multifamily residential and non-residential)	New	6	20	10	15	15	28	28	15	10	15	10	23	23
	Additions	6	15	10	15	15	23	23	10	10	10	10	18	18
	Alterations	5	15	10	10	-	18	18	10	10	5	-	13	13
	Demolition	5	10	10	10	5	13	13	5	10	10	5	8	13
	Pools	4	10	10	10	-	13	13	5	10	5	-	8	13
	Sign/Awning	4	5	-	5	-	8	8	5	-	5	-	8	8

Source: City of Walnut Creek Development Review Services; Policy Bulletin No. PB-031. Revised April 7, 2020.

Recommendation 19. Develop, implement, and publish turnaround times for each major planning and building project type, including those for more complex development projects.

Recommendation 20. Institute a tracking system in Planning with due dates and ticklers for responses from referral agencies.

Recommendation 21. Require any applicant for a planning or building permit that has an OWTS or involves infill development to provide evidence that they have contacted Environmental Health before an application is considered complete and accepted.

Recommendation 22. Implement a management information system to track and monitor planning and building applications across all County agencies so issues and delays can be identified and addressed quickly.

Performance Measures

Performance measures are an important management tool to help evaluate the overall effectiveness of providing development services. For example, how often turnaround times are met by building and planning during staff review can help staff and decision makers determine if the turnaround times are working well or need to be adjusted.

Localities with strong customer-oriented development review processes often develop performance measures for the typical phases of development review in the categories below.

- **Efficiency** measures compare inputs and outputs (e.g., amount of work produced compared with the cost or staffing required to produce it).
- **Effectiveness** measures assess how well an organization performs, such as measuring the quality of services it delivers. These measures look at outcomes and should always include feedback from internal and external customers.
- **Workload** measures focus on the amount of work produced and help to monitor fluctuations in that workload. Workload measures do not assess how efficiently or effectively work is performed (these issues are addressed through effectiveness or efficiency measures)

These measures need to be carefully selected to develop relevant information for management and executive-level staff to assess results without overloading staff with data collection and reporting.

Recommendation 23. Develop and track performance measures for the typical phases of development review in planning and building to inform the effectiveness of the services being provided.

Comprehensive Information Is Key

This section looks at information for both internal staff and external applicants and the public. Comprehensive and accessible information is essential to an effective and efficient development review process.

- **Applicants** need to know the information they must submit with their application and the regulations that govern their proposed development projects.
- **Staff** need complete information to analyze and make recommendations on development projects.
- **The public and decision makers** need all this information and a good understanding of the County's decision-making authority to participate effectively in development review.

Planning and Building Checklists

Published application checklists are a best practice used by successful development services functions in public agencies. They inform applicants what will be required to proceed through review in both planning and building and quickly enable staff to determine whether an application is complete.

There are also *legal mandates* from the State of California and County initiatives that guide the information that must be available during the development review process. *State law now requires the County to provide permit checklists on the County's website for residential development applicants* (see pages 12 and 13). Information not on the checklists cannot be required for residential development during the permit review process, which means it is essential that the checklists be accurate.

- **Residential planning permit checklists.** The amendments to the Permit Streamlining Act contained in SB 330 require that an agency post a list of zoning ordinances and development standards on its website that apply to residential development and items that are needed to deem a residential application complete. The County cannot require submittal of materials that are not on this application checklist. Planning staff members are currently working on these checklists.

- **Residential post-entitlement building and other ministerial permit checklists are required by January 1, 2024.** AB 2234 requires that detailed checklists of the necessary information for all ministerial permits (building, grading, demolition permits) for residential development be provided on the County's website by January 1, 2024. This information must include an example of a complete set of post-entitlement permits for at least five types of housing developments in the County. Only the information included on the County website can be used to determine if an application is complete. The Public Works staff have until January 1, 2024, to develop and publish this information.

Recommendation 24. Ensure permit requirement checklists for building, engineering, and planning residential permits meet California's new legal requirements.

Recommendation 25. Create online comprehensive application checklists for all major development types and require them to be submitted with any application. These should include requirements for all development services disciplines with explanatory information easily accessible by applicants.

Recommendation 26. Include a checklist item for all infill sites to determine potential for toxic contamination issues using publicly available resources. All such sites should require a Phase 1 report as part of any application submittal.

New state laws regarding housing severely limit the information that can be required if the jurisdiction does not ask for the information initially. This applies to planning as well as development engineering. These comprehensive checklists and accompanying information should be available online on multiple websites, and in hard copy at the public counter.

Complete Application Submittals are Critical

Requiring complete permit application submittals is essential to a streamlined development review process. Baker Tilly heard from County staff during interviews and process mapping that incomplete plans were often accepted and too often plans were not reviewed for basic completeness at submittal. Having all the information that County staff need available in a complete application before staff review begins has many advantages, as noted below.

- Shortens the total staff review turnaround time in jurisdictions that consistently require a complete application permit review is begun.

- Makes efficient use of staff time.
- Limits confusion and facilitates interdepartmental problem solving since everyone is working on the same application information from the beginning of the review.

Changes in state law for residential projects accentuate the importance of obtaining all information needed for a complete permit application before staff review starts.

For residential projects, under SB 330 and AB 2234, *the only opportunity the County will have to request information from an applicant is during the period when the County is determining if a residential permit application is complete.* Once an application is determined to be complete, no new additional information can be required from the applicant (see pages 12 and 13).

Recommendation 27. Require complete application submittals for all planning and building permits before initiating staff review.

Recommendation 28. Discontinue acceptance of incomplete development applications.

Internal Information

For all pieces of the development puzzle to fit together it is helpful if everyone has an idea about what all the pieces look like. In other words, everyone in development review must have some idea about what others are doing.

We were surprised during the process mapping sessions at some staff members' lack of understanding about various County agencies and departmental procedures and requirements. This was especially true in relation to Environmental Health and Public Works' Development Engineering review.

Part of the reason is neither of these agencies has a comprehensive checklist of their application requirements available and distributed as part of the application submittal requirements for Planning or Building. In addition to providing applicants with the information they need to submit a complete application, ensuring that all submittal requirements are stated at the beginning of the process is increasingly important to be in compliance with state law (which limits what can be asked after an applicant submits an application, as mentioned previously).

During process mapping, we were also surprised that development review staff had not been together in a long time, and perhaps never in a comprehensive discussion about the process. Even then, one key division (Development Engineering) was missing due to an oversight by Baker Tilly.

Agency-to-agency training is essential for staff to understand their role in the process, how it fits with others, and to be able to assist customers throughout the entire process.

Recommendation 29. Establish an annual agency-to-agency meeting of all those involved in development services review to discuss opportunities for improvement and exchange information.

The purpose of the meetings would be to:

- Introduce staff to each other,
- Describe what the agency reviews during the development review process and what is required for a complete application,
- Describe what information and/or other help it needs from fellow agencies,
- Describe the agency's procedures, and
- Share concerns or questions about other agencies' reviews/needs.

Optimized Geographic Information System (GIS)

A robust geographic information system (GIS) is an invaluable tool in helping staff provide early guidance to applicants. It can provide information on parcel characteristics (size, existing building, uses, assessed value), environmental constraints (such as fire risk, waterways, wetlands, and slope), and the parcel's permit history.

Each parcel's physical characteristic is a GIS layer. The County's GIS system has a great deal of information but is also missing information that would assist with the development review process (e.g., sites with an OWTS or a sewer system, sites with toxic contaminants, etc.). We were also told that Zoning and General Plan information on the internal system is not reliable and needs to be updated.

Currently, the development and maintenance of GIS layers is the responsibility of each agency. Each agency has their own GIS staff to support their GIS programs. As the authoritative agency, it independently decides which layers it needs, creates the layers, and when necessary, contracts for assistance with a pre-approved GIS consultant.

Based on our experience with other agencies, we expect that there are some layers that would be useful to all the development review agencies, and that it would be helpful for the agencies to work together to identify and prioritize what layers would provide the most utility.

By developing a GIS Master Development Plan, the three major agencies (Public Works, Community Development, and Environmental Health) can work collaboratively as a group to leverage expertise and share knowledge. A GIS

Master Development Plan would include setting priorities, budget, and managers in each discipline responsible for ensuring coordination.

Recommendation 30. Assign a senior position in Community Development to coordinate and prioritize layers that should be added to the GIS.

Recommendation 31. Establish a staff team composed of individuals in each agency involved in development review, in coordination with the County Information Technology Department, with responsibility to prepare a GIS Master Plan. The plan would set forth GIS layer priorities, budget, and a responsible lead agency for implementation.

Recommendation 32. Contract with a GIS consultant to help expedite the program's creation. Agencies should work together to establish a budget for developing the layers and identify the agency with the most expertise to take the lead in managing development of each layer.

Customer Service Information

An effective development services process and reliance on digital submissions requires clear and accessible public information.

During our evaluation of public-facing information on the County's various websites, our team observed that while much of what an applicant needs may be available, it is not organized in a logical or comprehensive way from the end-user perspective. In some cases, outdated pages remain. This can lead to confusion of applicants.

A high level of detailed knowledge about the County and its various divisions and departments is required for an applicant to successfully navigate the County's website to locate the information they seek. Doing so requires searching and multiple clicks.

All information is housed by agency instead of being centrally located or linked to fully understand the whole process or sequence of what is expected. Forms and guides are not currently organized to lead the applicant through the process and there are not always clear step-by-step instructions (e.g., dropdown boxes, about the process and what an applicant can expect).

The County has initiated a customer service enhancement by instituting "permit coaches" from Economic and Civic Development to help applicants when they encounter problems during the development process. Economic and Civic Development also created a welcome packet for businesses, which is available

online. This communication piece is well done; however, there are no specific details provided in the document about how to navigate the process.

Alameda County staff should look to its peers, Contra Costa County for example, and other jurisdictions to model its webpages to provide clear process guidance to applicants. There is no reason to reinvent information from scratch when other agencies have done a good job. Screenshot examples are provided in Appendix 1.

Recommendation 33. Conduct a comprehensive revision of the development services websites to remove outdated information and provide consistent formatting and public portals in support of an integrated, cohesive process. Dedicated staff resources will be required to implement website updates, using other agency websites as models.

Recommendation 34. Reorganize existing public portals so they are navigable by the applicant and provide clear instructions. Public portals need to be user friendly, accessible, and intuitive for applicants.

Recommendation 35. Implement a public portal for Planning and Environmental Health.

Environmental Health in Alameda County is improving information and checklists, but they are not yet integrated with the development review process. Enabling Environmental Health to provide customer service and information before an application is made and fees are required will improve the customer experience and eliminate late hits.

In our research, we found that Santa Clara County provides a good model for user-friendly and complete public information about how to navigate the development process, including Environmental Health requirements for OWTs. Screenshot examples are provided in Appendix 2.

Recommendation 36. Ensure links to Environmental Health information and regulatory requirements regarding toxics and OWTs are visible on both the Planning and Building websites.

In addition to clear information accessible online, customers need clarity about how to contact staff. Staff email addresses and phone numbers should be published on the website where they are easy to find.

Recommendation 37. Publish staff emails, phone numbers, and update them regularly so applicants and the public can contact them easily.

Development Services Public Counter

Like many California jurisdictions across the state, Alameda County has moved increasingly toward accepting and processing permits online. Digital submissions, though, require complete applications, which require comprehensive and clear information for the applicant to submit them.

Technology is important, but it is not always enough.

Not every applicant can get their needs met online. For many people, finding information and applying online is still a daunting experience. Some people do not have computers and/or need assistance because of limited English language skills. There are also customers who find an in-person discussion the most effective way to get their questions answered. *The public counter plays a key role in this provision of face-to-face information for applicants and the public.*

The Permit Center, which contains the public counter for Building and Planning, is in the Public Works building. During COVID, the public counter was closed to customers walking in although appointments to come in and talk to planning or building staff were available. Since March 1, 2023, the public counter is open again from Monday through Friday.

The public counter is difficult to find as the Public Works building is set back from the street at a distance from the building where the Planning Department is located. *Wayfinding signage* to lead people from the Planning Department and the public parking area to the public counter is lacking.

A public counter should be a resource center, an inviting, easy to find place with good signage and informative monitors where applicants can:

- Talk to staff about their projects and questions.
- Find information and handouts on the County's permit requirements and the development review process that includes all the agencies involved in development review (Environmental Health, Development Engineering and Building and Planning).
- Obtain help using the County website and submitting online applications.

Recommendation 38. Provide wayfinding signage to the public counter in the Public Works building, especially from the public parking area and the Planning Department.

Recommendation 39. Ensure there are up-to-date handouts available at the counter for all major permit types.

Counter Staffing Model

The current staffing model for planning at the public counter is not typical and makes inefficient use of planners.

Currently, all planning staff from interns up to the assistant director have hours where they are assigned to sit at the public counter. While at the counter, these planners respond to routine customer and phone questions and perform an initial review of building permits to determine if there are zoning issues. Most of *these tasks could be done by a planning technician*. Having different planners respond to routine zoning and planning permit questions takes a great deal of staff time, which takes away the time planners have for more technical work and project management.

This approach is unusual. Typically, an agency has trained and dedicated planning counter staff, most frequently at the planning technician level. Other planning staff, usually senior planner level and below, are “on call” to answer more complex questions. These on-call planners are not sitting in the permit center but are at their regular desks where they do more complex work and keep projects moving.

One-Stop Center with All Disciplines No Longer Needed

The recent opening of the public counter following the pandemic provides an opportunity to reevaluate whether a one-stop counter that includes staff across departments beyond building and planning should be reinstated. The investments the County is making in online applications and videoconferencing permit more flexibility in the staffing of the counter by other departments.

Baker Tilly believes that the one-stop counter is no longer essential. While people must travel to meet in person with Fire staff (City of Dublin) and Environmental Health staff (City of Alameda), this does not mean a one-stop center is required. Videoconferencing, online application submittal, and comprehensive website information means not every discipline (e.g., fire, environmental health) needs to be physically at the counter. At the same time, staff from other departments must be available when required to answer questions and attend videoconference meetings.

Recommendation 40. Use trained and dedicated planning technicians at the counter to increase the capacity of planners for other work.

Recommendation 41. Revise the staffing model used to support the public counter by requiring disciplines other than planning and building to be available through videoconferencing or teleconferencing to answer questions.

Streamlining the Public Review Process

Baker Tilly understands and agrees that community engagement and advisory bodies add value and are an important component of the development review process. At the same time, it is important to understand how the advisory and approving body review process adds complexity and time to the development approval process. This section describes the current advisory body process and provides alternatives for operational efficiency and policy effectiveness that we believe would not compromise the County's commitment to community engagement.

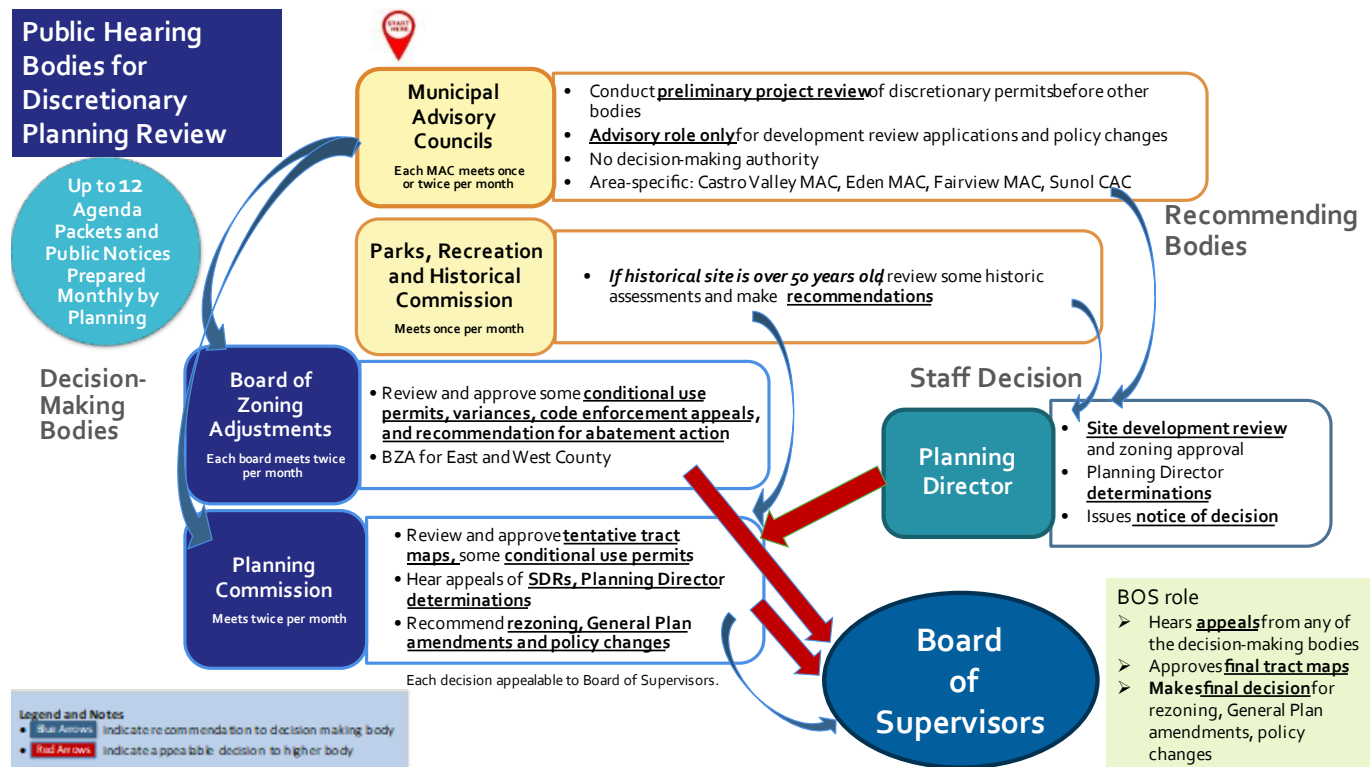
Regardless of the choices implemented, *new state laws for building and planning will require the County to consider how to shorten and change the public review process.* The State of California has been active in expediting the permitting of residential projects and front-loading the resolution of issues as described on pages 12 and 13.

Hearings and Public Review Periods for Residential Projects

As mentioned previously, under SB 330, *the County is now limited to five public hearings for a residential project, including continuances and appeals.* A final decision must be made at the fifth public hearing. A single-family home is a housing development project, so this limitation on hearings is broad reaching. Meetings held solely pursuant to CEQA law, including CEQA appeals, or for legislative actions such as a rezoning, are not included as part of the number of hearings.

Currently, we understand a residential project in the County may indeed go through five public hearing bodies *before* it reaches the Board of Supervisors if appealed. As described in Figure 4, this could include a Municipal Advisory Council; the Parks, Recreation and Historic Commission; the Planning Director; the Board of Zoning Adjustments; and the Planning Commission. If the County or applicant (upon appeal) wants to hold a hearing before the Board of Supervisors, meeting these five public hearing limitations will require changes to the current public review of residential projects.

Figure 4. Alameda County Public Hearing Advisory Bodies



Public Review Period

The state also made changes to the timing for public review of residential projects. The most significant is that the County must act on a residential project with an Environmental Impact Report (EIR) within 90 days from the certification of the EIR and 60 days for certain affordable housing projects. The law stipulates that these timelines may be extended once for 90 days if both the agency and applicant agree. Meeting these new timelines should not be onerous, however, since the preparation and certification of an EIR should allow ample time for public review.

Building and Other Ministerial Permits Timelines

There are currently no regulations that set time limits for post entitlement, ministerial permits, e.g., building, grading and demolition permits. Finding that there were significant delays during the residential plan check process, the state legislature made significant changes and established new strict timelines for these permits. AB 2234, effective in January 2024, sets shorter time limits for these ministerial permits for residential projects.

After receipt of a completed residential building permit application, a permit must be acted upon within 30 days for a residential project that is less than 25 units and 60 days for a project that is more than 25 units.

Issues for residential projects that have typically emerged during the plan review process in the County will have to be resolved earlier, preferably during the entitlement review period. For example, it has been the practice for development engineering to attach standard conditions to planning permits that direct the applicant to conform to County codes. The details of how the applicant will conform are often worked out during the building permit plan check process. In the case studies we reviewed, resolution of these issues, particularly road design, took time and was seen as a “late hit” by applicants.

As of January 2024, issues like road design for residential projects will need to be decided during the entitlement process. There will be much less time to address them during building plan check. As a result, it is likely that the advisory and approving bodies in the entitlement public review process may be involved in a more detailed review of development engineering issues (like roads) than they are now.

Planning’s Current Review, Approval and Appeal Process Is Complex

Alameda County’s public hearing process for discretionary plan review is *unusually complex and layered*, as set forth in Figure 4:

- There are *six reviewing bodies* involved in public hearings for development review in Alameda County.
- Four of the reviewing bodies (Board of Zoning Adjustment, Planning Director, Planning Commission and Board of Supervisors) are decision makers for specific planning permits.

These multiple reviewing and decision-making bodies result in:

- ***Multiple staff reports.*** The preparation of different staff reports with potentially different findings for each public hearing body.
- ***Multiple public hearings with multiple decision makers for a project.*** For example, a mixed-use multi-family housing project that applied for a rezoning, a variance, a site development review, and a subdivision would be required to go through five public hearing bodies (six if the site has an historic designation). Four of these hearings are with decision-making bodies who act after the MAC has made an advisory recommendation.
 1. The Planning Director decides on the site development review permit.
 2. The Board of Zoning Adjustments decides on the variance permit.

3. The Planning Commission decides on the tentative map and makes a recommendation to the Board of Supervisors on rezoning.
4. The Board of Supervisors decides on rezoning and approves the final map.

It is also *challenging for the public to follow this process and attend multiple decision-making hearings*. Creating *internal consistency* is also challenging. The permit decisions by these four different decision-making bodies may conflict with each other. The process becomes more complicated when staff must identify how to *resolve differences between the actions* of these different decision makers.

The County's **multiple decision-making bodies** for permits on a planning project is highly unusual.

Most jurisdictions in California simplify and avoid inconsistency in the public hearing review process by having all decisions made by the highest decision-making body that will hear a permit. In the example above, the Board of Supervisors would make the final decision on all permits. The other bodies' roles would change to advisory and would make a recommendation to the Board of Supervisors. Having all permits bundled and acted on by the highest decision-making body allows that body to be more consistent.

Currently, the actions of any of the decision-making bodies (except the Board of Supervisors) can be appealed. Depending on what permit is appealed, the appeal would go to different decision makers. For example, appeals to a decision by the Board of Zoning Adjustment go to the Board of Supervisors. An appeal to a decision by the Planning Director goes to the Planning Commission. County planning staff estimate that 10% of permit decisions are appealed.

Meeting the five-hearing limit for residential projects under new state law will require changes to the County's advisory and approval body review policies and processes.

Potential Changes

Baker Tilly has identified the following operational and policy changes that could be considered and implemented to help streamline the public review process.

Operational Changes

1. Manage each hearing body's agendas to limit the potential for continuances of residential projects.
 - Use a consent agenda to handle more routine items.
 - Give priority to residential projects by placing them early on agendas.

2. Review and resolve development engineering issues for residential projects within the planning review period so AB 2234 building permit time limits can be met.

Policy Changes

1. Evaluate and reduce the types of items brought before advisory bodies by establishing administrative permits, e.g., extensions of existing wireless facilities where the County's discretion is limited.
2. Revise the current public hearing process to have all planning permit decisions made by the highest decision-making body that acts on the project. For example, if there are multiple planning permits and the Board of Supervisors is the highest decision-making body, the Board would make the final decision on all the permits. The other bodies would make a recommendation to the Board of Supervisors.
3. Revise the current appeals process to have decisions on all appeals made by the highest decision-making body. For example, If the Planning Commission is the highest decision-making body, they should decide on all appeals on a project, including those from the Board of Adjustment that currently go right to the Board of Supervisors. (This is typical for most local governmental agencies in California.)
4. Decrease the number of reviewing bodies involved in entitlement review. See discussion of Board of Zoning Adjustments below.

Current Public Review Process Significantly Impacts Staff Resources

Streamlining the public review process would reduce the impact on staff resources. The current public hearing process requires a major investment in staff time. We understand there could be as many as 12 agenda packets with one or many staff reports prepared monthly by current Planning staff.

Planning staff also indicated that there are usually about six to eight public hearings per month that they must support and attend for development permits. This requires a great deal of time to write staff reports and attend public hearings by the nine members of the professional Planning staff.

This report recommends that the Planning staff take on a project management role to streamline development and improve the applicant experience. And state law will now require expediting residential projects. Reducing the number of public hearings staff must prepare for and attend would create more resources for these expanded roles.

Recommendation 42. Streamline the number of issues that are brought to public hearings by identifying and establishing administrative permits that may be approved by staff.

Recommendation 43. Revise the current public hearing process for Planning permits so the highest decision-making body that acts on a project decides all Planning permits.

Recommendation 44. Revise the current public hearing process for appeals so the highest decision-making body that acts on a project hears all permit appeals for that project.

Municipal Advisory Councils

The four Municipal Advisory Councils advise the Board of Supervisors on a wide range of issues. In a county as large and diverse as Alameda County, the MACs can surface and help address local issues and concerns. For all discretionary planning permits, the MACs are the first step in the planning development review process. These councils make a recommendation about all discretionary planning permits in their geographic area. The three MACs in the urban areas (Castro Valley, Eden, and Fairview) have a major role in the timing of the development review process. The Sunol Citizen Advisory Council sees fewer development permits than the three urban MACs.

Permit review by these councils is a required step in the planning process in Alameda County. ***This is not the case in other counties.*** Contra Costa County, for example, has MACs, but they do not hold public meetings on projects. The Contra Costa MACs are notified by staff when a project is being reviewed for completeness during the initial 30-day review period and can submit comments at that time.

During our case study interviews, applicants indicated that the current MAC permit review process can be frustrating. Applicants expressed concerns with how long it takes to get on a MAC agenda and staff noted that it indeed can take one to two months. MAC members have expressed concern with overloaded agendas and a need to respect their time.

Recently, there have been some successful changes to streamline MAC review and allow them to focus on bigger issues. A group of permits, referred to as Administrative Minor Use Permits (for example, for outdoor eating and minor façade changes including signage) have been established that staff can approve administratively. Expanding this list to include more permits, such as extensions of existing wireless towers, review of façade changes, and site development review for single-family homes, would help further streamline their reviews. Expanding staff review of minor permits is a best practice that allows MACs more time for complex projects and policy development.

Given the five public hearing limits on residential projects and the more complex engineering issues that may surface during the planning review, it is essential

that MACs have the time at their meetings to hear and make recommendations on larger projects, such as multi-family residential development and large commercial projects. MAC members will also have to be trained in the limitations of the County's discretion to decrease density, and the inability to add new requirements during the hearing process that are now prohibited by state law.

Recommendation 45. Review and reduce the permit types currently requiring a MAC or CAC review and recommendation so routine permits may be approved administratively by staff.

Recommendation 46. Add a consent calendar to MAC meetings so routine permits may be acted on promptly and the focus is on more complex projects, such as new residential development.

Recommendation 47. Streamline the staff report format to provide information sufficient to elicit review and comment of only those items within the purview of the MACs and/or the CAC.

Recommendation 48. Provide regular training to MAC members on their role and land use law, especially nexus (i.e., legal limits for regulatory exactions), and changes to housing law, land use principles, and urban design.

Board of Zoning Adjustments

The County has two Zoning Boards of Adjustment: one for East Alameda County and one for West Alameda County. Established in 2002 to replace the role of a staff zoning administrator, each of the Zoning Boards of Adjustment meets twice a month to hold public hearings and act on some conditional use permits (the Planning Commission acts on other use permits), variances, code enforcement appeals, and recommendations for abatement actions. The Zoning Board of Adjustment acts after the MACs have provided them recommendations and provided the opportunity for community input.

Alameda County is the only Bay Area county with two Zoning Boards of Adjustment.

Typically, a zoning administrator (staff member) hears zoning items for an entire county. The use of a zoning administrator would reduce the number of public hearings on zoning items each month. Instead of four public hearings at the two Boards of Adjustment, there would be two public hearings by the zoning

administrator. Local community input would be supplied by the MACs on the permits that the zoning administrator reviews.

Combining the change to a staff zoning administrator with the recommended change to staff review of minor permits would significantly streamline the development review process in Alameda County. The more substantive permits (e.g., use permits) currently heard by the two Zoning Boards of Adjustment could be moved to the Planning Commission. The Planning Commission already hears many use permits and is obviously experienced in this area. Therefore, this would not be a major increase in their workload. Using a consent agenda could also expedite the Planning Commission's review of these permits. The zoning administrator would be limited to minor, simple permits.

An alternative to reestablishing the staff zoning administrator position is to eliminate the two Zoning Boards of Adjustment and assign the more substantive permits the two Boards of Adjustment currently hear (use permits and variances) to the Planning Commission. Also, adding more minor permits (code enforcement appeals, abatement actions) to the lists of items the staff can approve administratively would also streamline these permits.

Board of Adjustment Options for Change

Baker Tilly recommends that County leaders consider the following options for changing the Board of Adjustment function. These, of course, would require a policy decision by the Board of Supervisors.

Option 1. Make the Planning Commission the final approving body for zoning changes. Eliminate the two Boards of Zoning Adjustment (BZA) and make the Planning Commission the final approving body on the more substantive discretionary projects (e.g., use permits).

Option 2. Reestablish the zoning administrator role. Reestablish the zoning administrator role to review the simpler permits currently subject to Board of Zoning Adjustment review following public notice (e.g., code enforcement appeals, abatement actions, variances).

Updating the Zoning Ordinance

The County's Zoning Ordinance is an agglomeration of different regulatory documents (including Specific and Area Plans, etc.), and zoning amendments adopted over at least 40 years and not comprehensively updated. We were unable to determine if the County's Zoning Ordinance has ever been comprehensively updated. What exists is a regulatory framework that is inconsistent, bloated with unnecessary and outdated language, idiosyncratic, and out-of-date with current best practices.

According to the planners, it can take *years for a planner to become fully familiar* with all zoning provisions and idiosyncrasies. This results in a reliance on senior and other long-term planners to know which regulations apply in a particular situation, to avoid misinformation inadvertently given to the public, and errors in staff reports. Unfortunately, these do occur, which then frustrates applicants, committee, and commission members, and embarrasses staff during a public meeting.

The current Zoning Ordinance's complexity also means that simple questions about zoning regulations require significant staff time to research. During process mapping, the planners in the room sometimes disagreed about which regulation to apply to the sample project. It became evident which regulations and which process would apply depended on the project's location, and which specific plan regulations would apply to it (not all of which are codified in the Zoning Ordinance).

Some recent changes in state law have not yet been adopted into the Zoning Ordinance, meaning that some County regulations have been preempted by state requirements which further confuses staff trying to respond to customer inquiries. Some state regulations that might, in theory, apply to the County (such as a requirement that ADUs have a quick review process), do not apply in portions of the County where houses are on an OWS. Nevertheless, homeowners, having read about the changes in state law, expect a straightforward process and may be frustrated to find the new law does not apply to their project.

Baker Tilly well understands that updating the zoning ordinance is a major undertaking, requiring significant staff and budgetary resources. Most agencies contract with outside consultants to undertake the work with their oversight. Nonetheless, we believe such an investment over several years will serve to benefit development services customers and will enable staff to be more efficient and effective in their work.

Recommendation 49. Allocate financial and staff resources to conduct a comprehensive update of the County's Zoning Ordinance. Budgetary resources could be allocated over a two-to-three-year period to accomplish this objective.

As a zoning ordinance update typically involves an expensive long-term process, often requiring at least two years to accomplish, we recommend the following:

Recommendation 50. Divide the County into sub-areas and assign planners to be experts in them.

Recommendation 51. Budget sufficient staff and consultants to bring the Zoning Ordinance into conformance with state law as quickly as possible. As changes in state land use regulatory law have been ongoing during the past few years, it is likely that this staff and consultant resource will be a long-term budget need.

On the Critical Path and Next Steps

Baker Tilly has identified the following as being on the critical path for change and improvement. Again, this will require operational and potential policy changes. The items set forth below are operational; however, we have also identified policy changes that County leaders should consider as well.

Front Load, Track and Keep Projects Moving



Designate a project manager and fully implement and utilize the **MaintStar** system now.



Establish performance metrics, such as turnaround times, across all development services functions.



Require complete applications based on checklists.



Develop protocols to ensure **Environmental Health and Development Engineering issues** are addressed **at front end of the process.**



Train planners in project management and empower them to keep projects moving.



Develop protocols to ensure that **all agencies review projects as a team**



Improve public information materials available on the website and implement robust public portals.



Restructure the public counter staffing model to significantly improve customer service.



Revise the public hearing process so the **highest decision-making body acts** on all permits and appeals.

Near-Term Work Plan

To guide the County over the next 18 to 24 months with implementation of the recommendations in this report, Baker Tilly developed a Near-Term Work Plan, that was provided under separate cover. The objective is to provide a tool that the department can use to help prioritize functional areas and action steps that need to be undertaken to implement the major objectives below.

The Near-Term Work Plan includes specific action areas, implementation steps, lead responsibility assignments, and completion dates that may be modified as the process moves forward. The intent is to provide a user-friendly tool for leaders to be able to monitor progress and ensure accomplishments.

While this is being done, the following provides a preliminary list of items that could be implemented now as County leaders review this report and the Near-Term Work Plan.

Launch Now

- 1 Establish, track and monitor **turnaround protocols in MaintStar** across all disciplines.
- 2 Create and publish **application checklists** (all disciplines), in compliance with state law.
- 3 Train and empower **planners to act as project managers** across all disciplines. Free up time by the following:
 - Hire zoning (Planning) **technicians to staff the counter** and post notices (until posting can be discontinued).
 - Contract with a **courier service** for packet delivery (or decide that packets will only be delivered electronically).
 - Require building technicians to **screen building permit applications** for planning review and completeness.
- 4 Fully **implement the Planning permitting system**.
- 5 **Ensure Environmental Health is included in the** process electronically, at the beginning
 - Require applicants with an **OWTS** to confirm (including **location**) they have begun review with Environmental Health.
 - For any infill development site, require applicants to submit a **Phase 1 report** to Environmental Health and an application for EH to review.
- 6 Require Development Engineering and other Public Works functions to **review projects during the entitlement phase**.
 - Discontinue the use of only referring to development engineering standard conditions during entitlement.
- 7 **Train MAC members** on their purview, legal constraints and land use basics.
 - Add a **consent calendar** to all MAC agendas so members can focus on complex issues.
- 8 **Automate** payment of permit **fees**.
- 9 Reinstitute interdepartmental **project review meetings**.
- 10 Designate positions in Planning and Building to act as **building permit project managers**.

Conclusion

This report provides a range of opportunities for streamlining the development services process, improving customer service, and empowering staff with the tools necessary to achieve real change. Baker Tilly believes that staff members are engaged and ready to move forward.

Achieving results that benefit applicants as well as staff will require focused attention, establishing priorities, development and implementation of work plans, an allocation of resources, and an understanding by policymakers that change and community engagement take time.

Attachment A – List of Recommendations

The recommendations below are not listed in priority order, rather they are listed in the order in which appear in this report. Please refer to the Near-Term Work Plan companion document for more details about implementation priorities. The Near-Term Work Plan contains what Baker Tilly suggests as highest priorities for the first 18 to 24 months.

- Recommendation 1. Merge the Building Inspection Department with the Community Development Agency when the opportunity arises, reporting directly to the Agency director.
- Recommendation 2. Reinstate inter-departmental pre-application meetings with applicants as an essential part of coordination on projects and meeting legally mandated timelines for residential projects.
- Recommendation 3. Establish a culture of collaboration and problem solving.
- Recommendation 4. Develop and implement agreed upon turnaround protocols for each project and permit type across functional disciplines.
- Recommendation 5. Implement a management information system in the development permitting system to track and monitor planning and building applications across all County agencies.
- Recommendation 6. Assign, train, and empower planners as project managers responsible for tracking and monitoring projects and resolving issues across disciplines during the entitlement phase.
- Recommendation 7. Assign, train and empower designated building staff to be responsible for tracking and monitoring projects and resolving issues across disciplines during the building permit process.
- Recommendation 8. Identify issues early using comprehensive checklists and pre-application meetings, sequencing the process so key issues are identified and resolved early (e.g., toxic issues and OWTS, and engineering).
- Recommendation 9. Ensure a smooth project management transition between the entitlement and building permit phases of a project.
- Recommendation 10. Conduct an analysis of and update the Planning current development and Environmental Health permit fee structures in support of improved customer service and recovering additional costs for providing these functions.
- Recommendation 11. Train appropriate staff to be able to implement additions and changes to the system. (e.g., codes, permit types, workflow).
- Recommendation 12. Identify and assign a permitting process project manager to work across departments to assist with dashboard development and provide general oversight to monitor progress, discuss issues, and respond to requests.
- Recommendation 13. Revisit the permitting system setup and configuration to incorporate agreed upon changes to the process improvements in this report.

- Recommendation 14. Convene a working group from all disciplines to evaluate the current state of the system and opportunities for improvement.
- Recommendation 15. Assign staff in each department to key roles responsible for supporting the permitting system.
- Recommendation 16. Utilize the software to incorporate performance measurements into the workflow to monitor workload and ensure accountability.
- Recommendation 17. Develop protocols and documentation to require staff to input accurate and up-to-date information.
- Recommendation 18. Require the development permitting system vendor to train all staff on the systems and their application and to provide online training resources.
- Recommendation 19. Develop, implement, and publish turnaround times for each major planning and building project type, including those for more complex development projects.
- Recommendation 20. Institute a tracking system in Planning with due dates and ticklers for responses from referral agencies.
- Recommendation 21. Require any applicant for a planning or building permit that has an OWTS or involves infill development to provide evidence that they have contacted Environmental Health before an application is considered complete and accepted.
- Recommendation 22. Implement a management information system to track and monitor planning and building applications across all County agencies so issues and delays can be identified and addressed quickly.
- Recommendation 23. Develop and track performance measures for the typical phases of development review in planning and building to inform the effectiveness of the services being provided.
- Recommendation 24. Ensure permit requirement checklists for building, engineering, and planning residential permits meet California's new legal requirements.
- Recommendation 25. Create online comprehensive application checklists for all major development types and require them to be submitted with any application.
- Recommendation 26. Include a checklist item for all infill sites to determine potential for toxic contamination issues using publicly available resources.
- Recommendation 27. Require complete application submittals for all planning and building permits before initiating staff review.
- Recommendation 28. Discontinue acceptance of incomplete development applications.
- Recommendation 29. Establish an annual agency-to-agency meeting of all those involved in development services review to discuss opportunities for improvement and exchange information.
- Recommendation 30. Assign a senior position in Community Development to coordinate and prioritize layers that should be added to the GIS.

- Recommendation 31. Establish a staff team composed of individuals in each agency involved in development review, in coordination with the County Information Technology Department, with responsibility to prepare a GIS Master Plan.
- Recommendation 32. Contract with a GIS consultant to help expedite the program's creation.
- Recommendation 33. Conduct a comprehensive revision of the development services websites to remove outdated information and provide consistent formatting and public portals in support of an integrated, cohesive process.
- Recommendation 34. Reorganize existing public portals so they are navigable by the applicant and provide clear instructions.
- Recommendation 35. Implement a public portal for Planning and Environmental Health.
- Recommendation 36. Ensure links to Environmental Health information and regulatory requirements regarding toxics and OWTS are visible on both the Planning and Building websites.
- Recommendation 37. Publish staff emails, phone numbers, and update them regularly so applicants and the public can contact them easily.
- Recommendation 38. Provide wayfinding signage to the public counter in the Public Works building, especially from the public parking area and the Planning Department.
- Recommendation 39. Ensure there are up-to-date handouts available at the counter for all major permit types.
- Recommendation 40. Use trained and dedicated planning technicians at the counter to increase the capacity of planners for other work.
- Recommendation 41. Revise the staffing model used to support the public counter by requiring disciplines other than planning and building to be available through videoconferencing or teleconferencing to answer questions.
- Recommendation 42. Streamline the number of issues that are brought to public hearings by identifying and establishing administrative permits that may be approved by staff.
- Recommendation 43. Revise the current public hearing process for Planning permits so the highest decision-making body that acts on a project decides all Planning permits.
- Recommendation 44. Revise the current public hearing process for appeals so the highest decision-making body that acts on a project hears all permit appeals for that project.
- Recommendation 45. Review and reduce the permit types currently requiring a MAC or CAC review and recommendation so routine permits may be approved administratively by staff.
- Recommendation 46. Add a consent calendar to MAC meetings so routine permits may be acted on promptly and the focus is on more complex projects, such as new residential development.
- Recommendation 47. Streamline the staff report format to provide information sufficient to elicit review and comment of only those items within the purview of the MACs and/or the CAC.

Recommendation 48. Provide regular training to MAC members on their role and land use law, especially nexus (i.e., legal limits for regulatory exactions), and changes to housing law, land use principles, and urban design.

Recommendation 49. Allocate financial and staff resources to conduct a comprehensive update of the County's Zoning Ordinance.

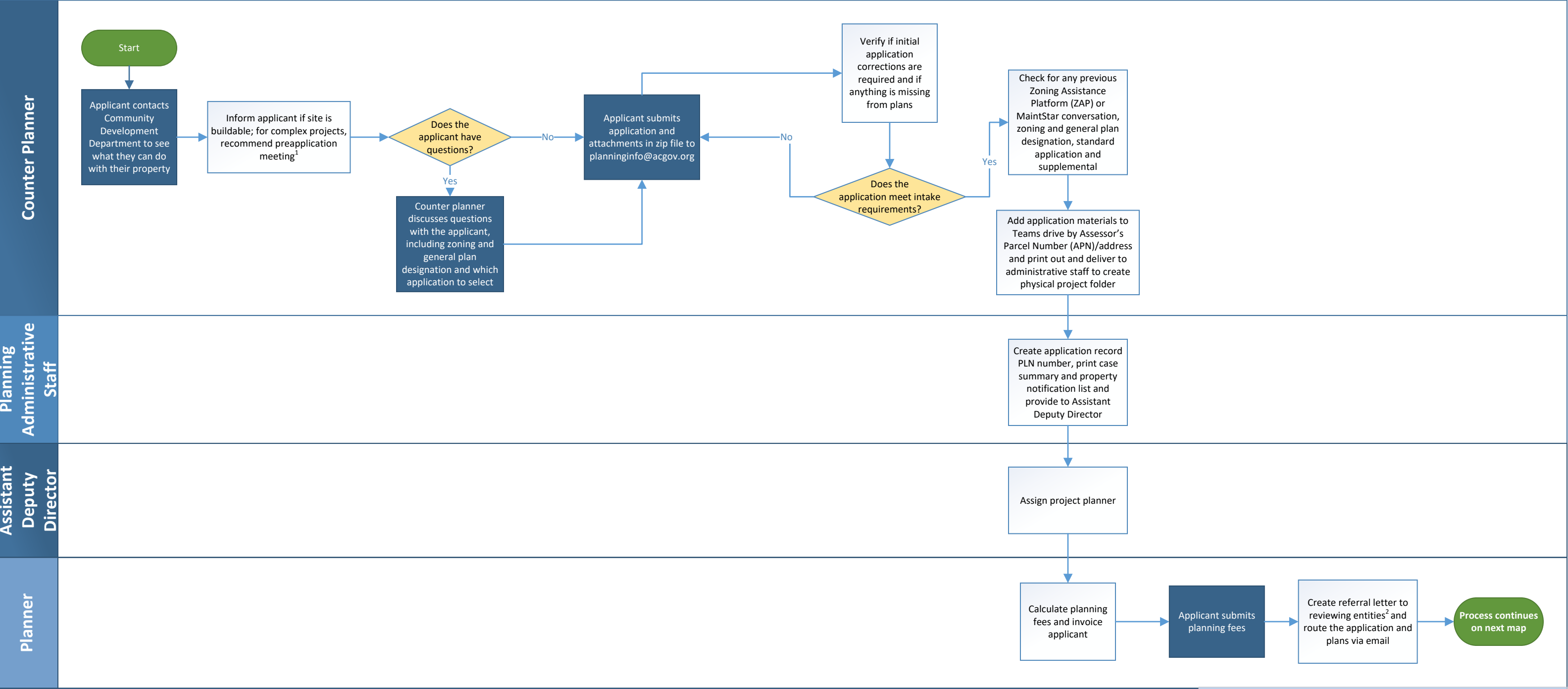
Recommendation 50. Divide the County into sub-areas and assign planners to be experts in them.

Recommendation 51. Budget sufficient staff and consultants to bring the Zoning Ordinance into conformance with state law as quickly as possible.

Attachment B – As-Is Process Maps

Entitlement “As-Is” Process (Map 1 of 4)

Preliminary Review, Application Intake and Project Assignment



¹For a pre-meeting, applicant submits form, drawings and fee (\$150 per department, \$450 maximum). Assistant Deputy Director convenes appropriate departments (typically Planning, Building, Fire, Land Development) to meet via Zoom on Friday morning. Environmental Health has no cost recovery fee mechanism to participate.

²Depending on the site, reviewing entities may include Department of Environmental Health, Onsite Wastewater Treatment Program, Department of Environmental Health, Clean Water, Alameda County Fire Department or City of Hayward Fire Department, Alameda County Public Works Agency, Building Inspections Department, Alameda County Economic and Civic Development Agency, Alameda County Public Works Agency, Construction and Land Development, Alameda County Public Work Agency, Grading Division, Alameda County Public Works Agency, Traffic Division, Alameda County Public Works Agency, Surveyor, Alameda County Sheriff's Office, Castro Valley Sanitation District, Hayward Area Recreation District, California Department of Fish and Wildlife, Zone 7 Flood Control and Water Conservation, East Bay Municipal Utilities District (EBMUD), Oro Loma Sanitary District, Livermore Planning, and/or Pleasanton Planning.

Legend and Notes

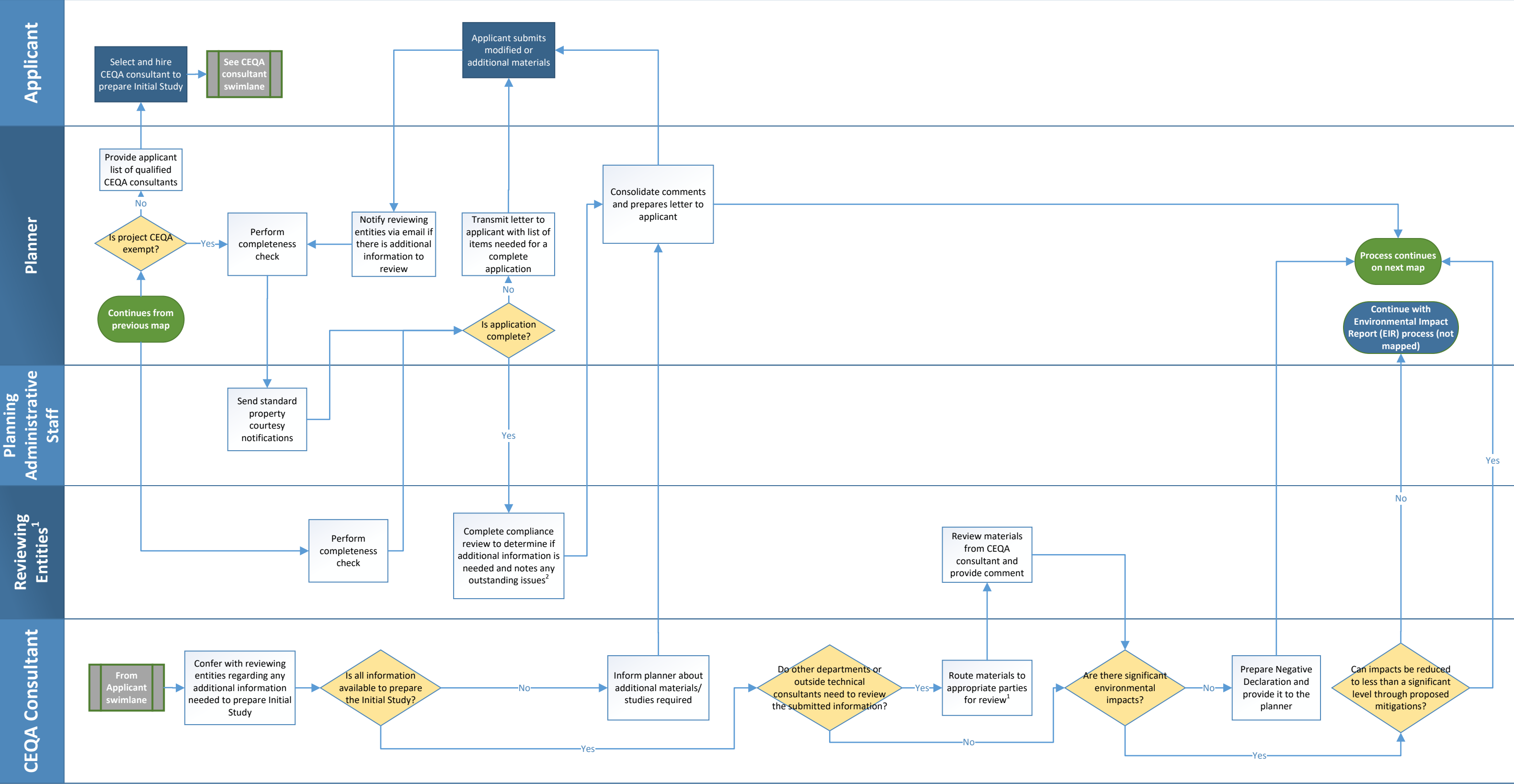
- Blue Boxes

 indicate direct customer involvement in a process.
- White Boxes

 indicate an internal County process.

Entitlement “As-Is” Process (Map 2 of 4)

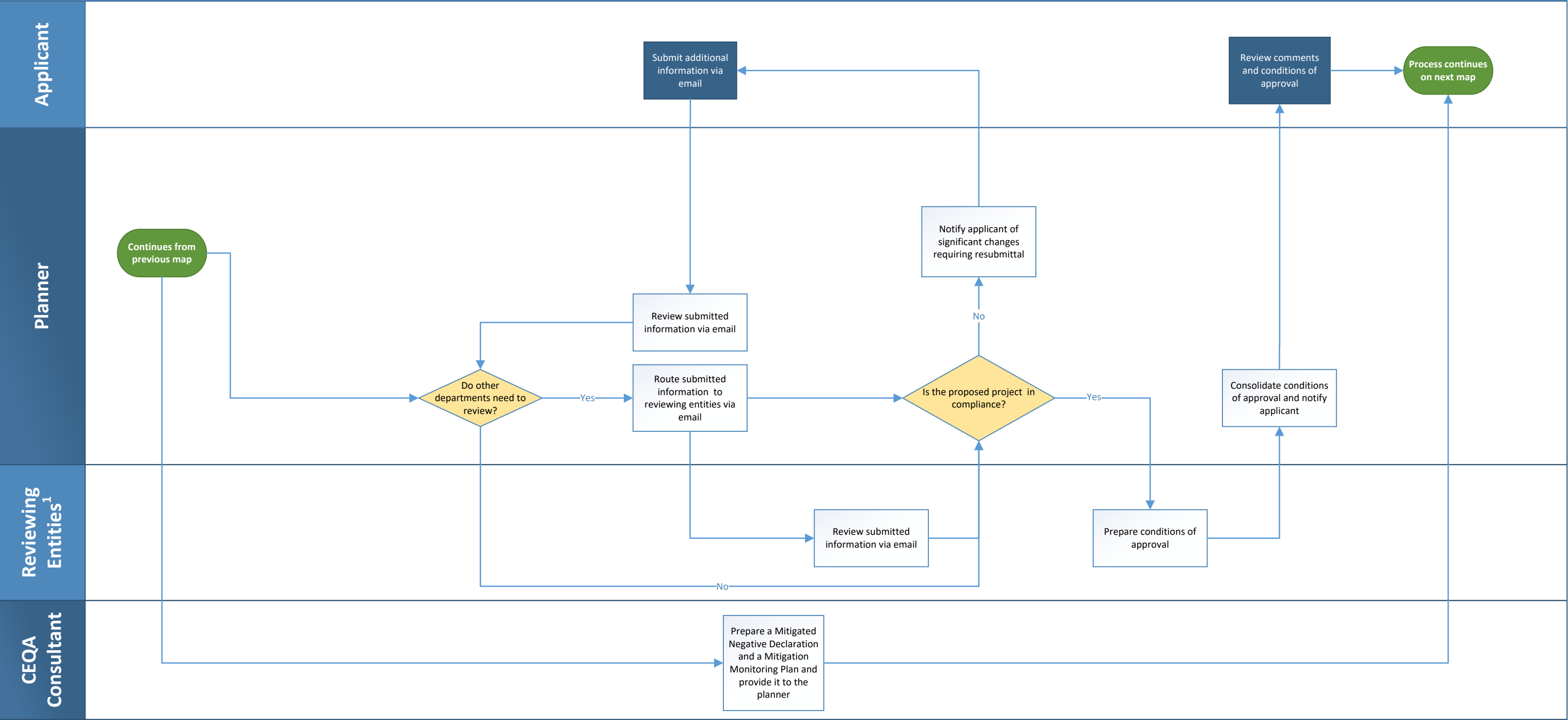
30-Day Letter and Initial Application Review



¹Depending on the site, reviewing entities may include Department of Environmental Health, Onsite Wastewater Treatment Program, Department of Environmental Health, Clean Water, Alameda County Fire Department or City of Hayward Fire Department, Alameda County Public Works Agency, Building Inspections Department, Alameda County Economic and Civic Development Agency, Alameda County Public Works Agency, Construction and Land Development, Alameda County Public Work Agency, Grading Division, Alameda County Public Works Agency, Traffic Division, Alameda County Public Works Agency, Surveyor, Alameda County Sheriff’s Office, Castro Valley Sanitation District, Hayward Area Recreation District, California Department of Fish and Wildlife, Zone 7 Flood Control and Water Conservation, East Bay Municipal Utilities District (EBMUD), Oro Loma Sanitary District, Livermore Planning, and/or Pleasanton Planning.

Entitlement “As-Is” Process (Map 3 of 4)

Resubmittal Process



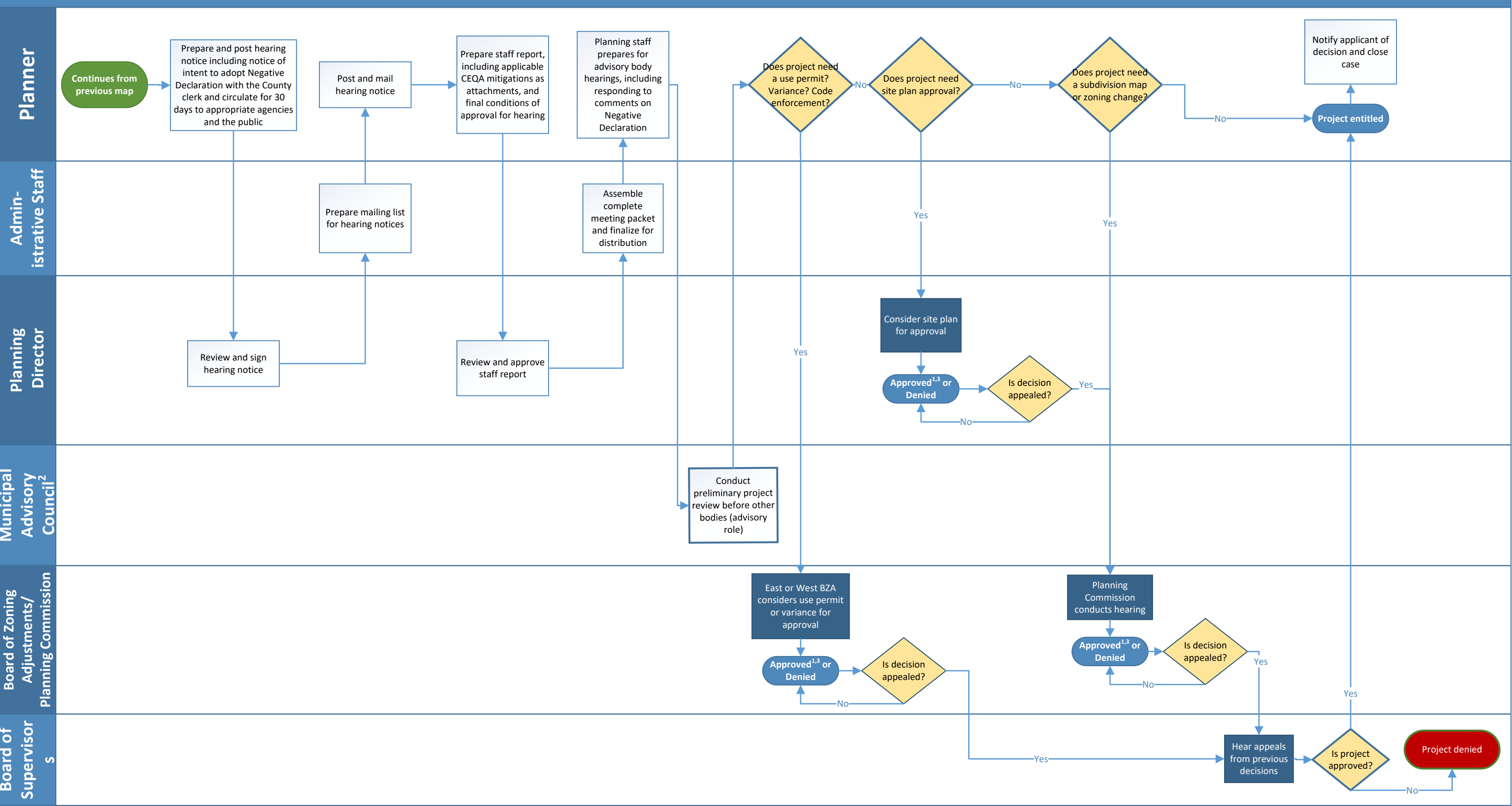
¹Depending on the site, reviewing entities may include Department of Environmental Health, Onsite Wastewater Treatment Program, Department of Environmental Health, Clean Water, Alameda County Fire Department or City of Hayward Fire Department, Alameda County Public Works Agency, Building Inspections Department, Alameda County Economic and Civic Development Agency, Alameda County Public Works Agency, Construction and Land Development, Alameda County Public Work Agency, Grading Division, Alameda County Public Works Agency, Traffic Division, Alameda County Public Works Agency, Surveyor, Alameda County Sheriff’s Office, Castro Valley Sanitation District, Hayward Area Recreation District, California Department of Fish and Wildlife, Zone 7 Flood Control and Water Conservation, East Bay Municipal Utilities District (EBMUD), Oro Loma Sanitary District, Livermore Planning, and/or Pleasanton Planning.

Legend and Notes

- Blue Boxes indicate direct customer involvement in a process.
- White Boxes indicate an internal County process.

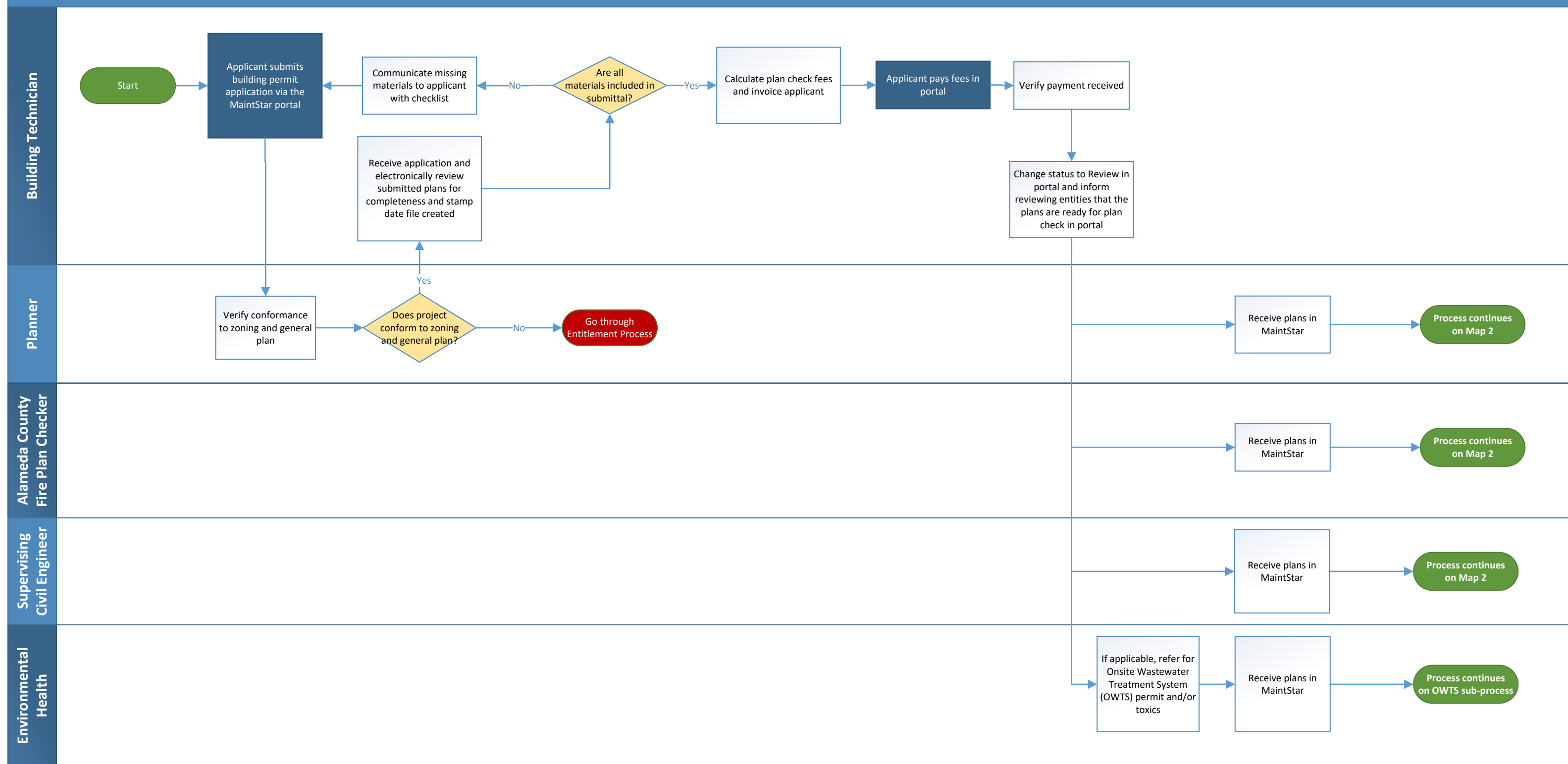
Entitlement “As-Is” Process (Map 4 of 4)

Public Hearings



¹Wait for appeal period to expire
² Or Citizens’ Advisory Committee (Sunol)
³ Any approval includes adoption of the Negative Declaration and filing of a Notice of Determination, if applicable

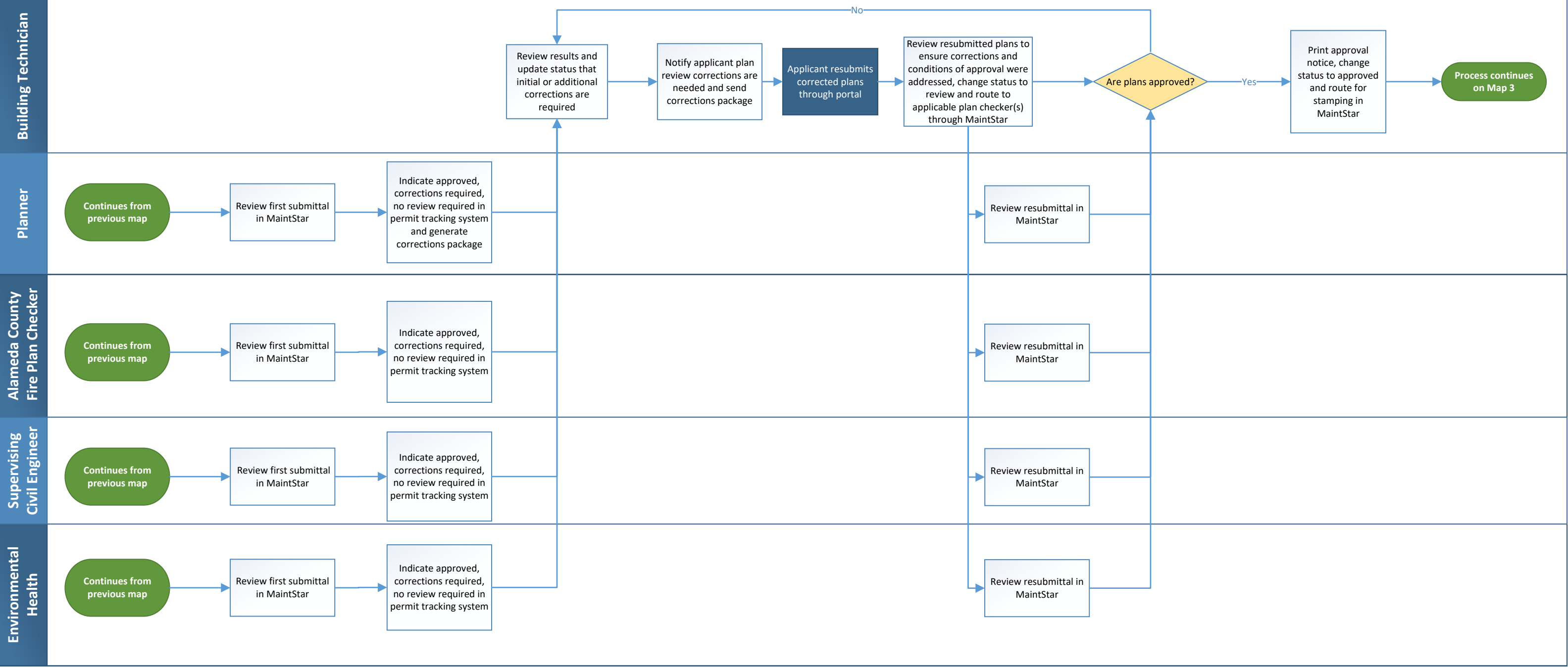
Application Intake



- **Blue Boxes** indicate direct customer involvement in a process.
- **White Boxes** indicate an internal County process.

“As-Is” Plan Check Process for Building Permit (Map 2 of 4)

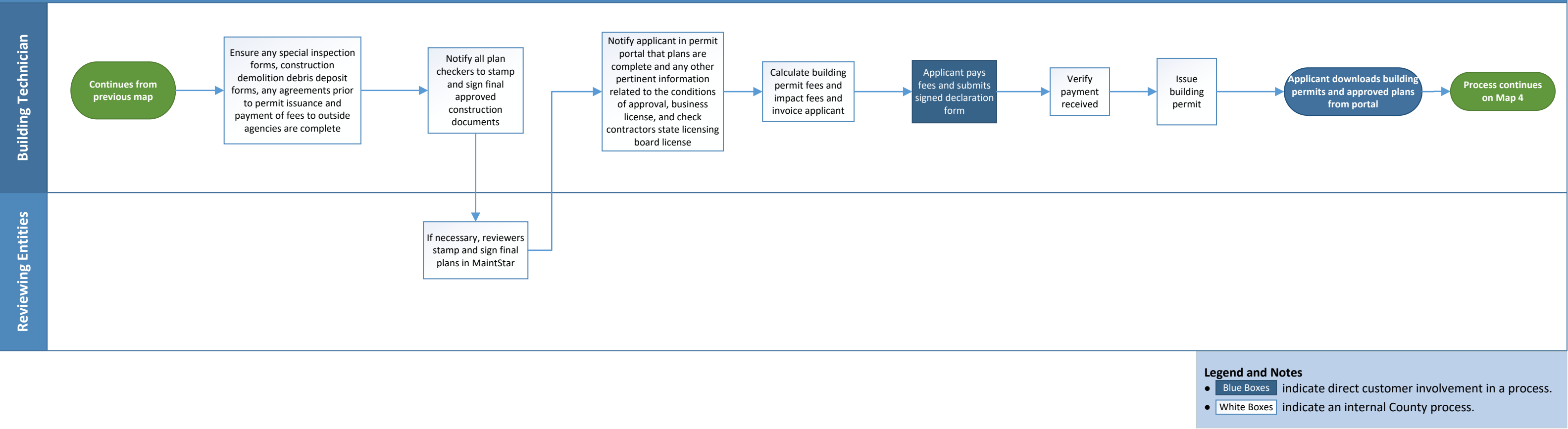
Plan Review



- Legend and Notes**
- Blue Boxes indicate direct customer involvement in a process.
 - White Boxes indicate an internal County process.

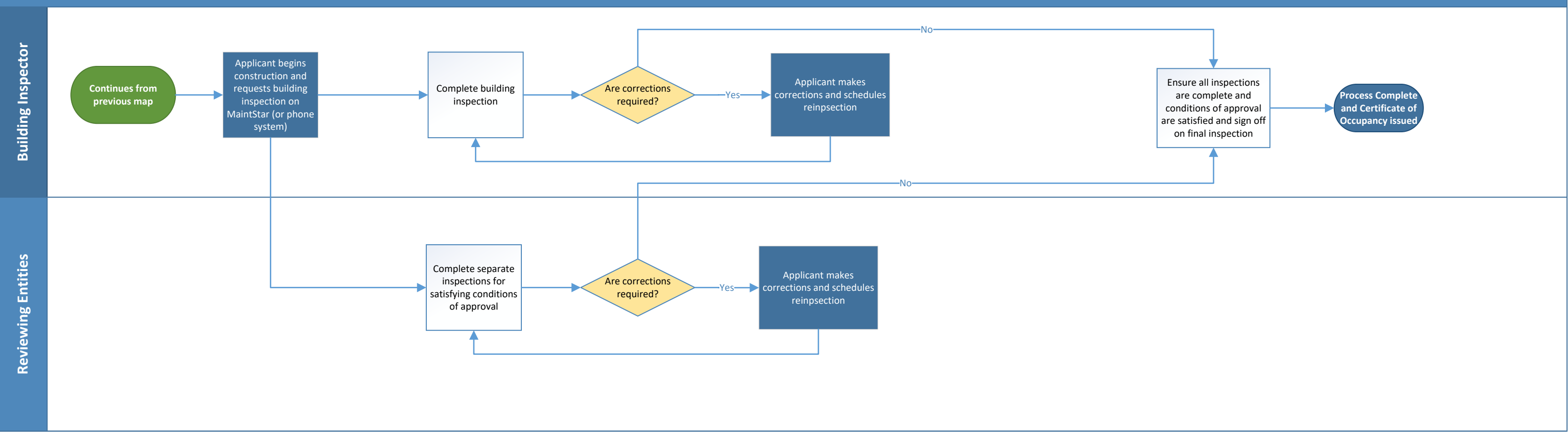
“As-Is” Plan Check Process for Building Permit (Map 3 of 4)

Building Permit Issuance



“As-Is” Plan Check Process for Building Permit (Map 4 of 4)

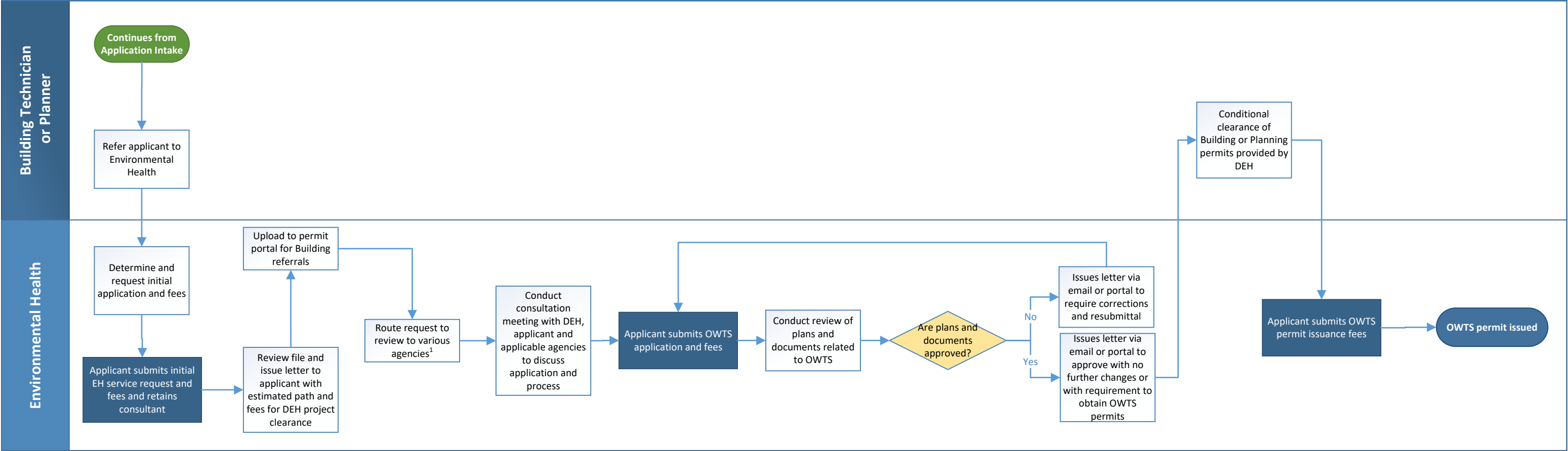
Building Inspection



Legend and Notes

- Blue Boxes indicate direct customer involvement in a process.
- White Boxes indicate an internal County process.

“As-Is” OWTS Sub-Process (Map 1 of 1)



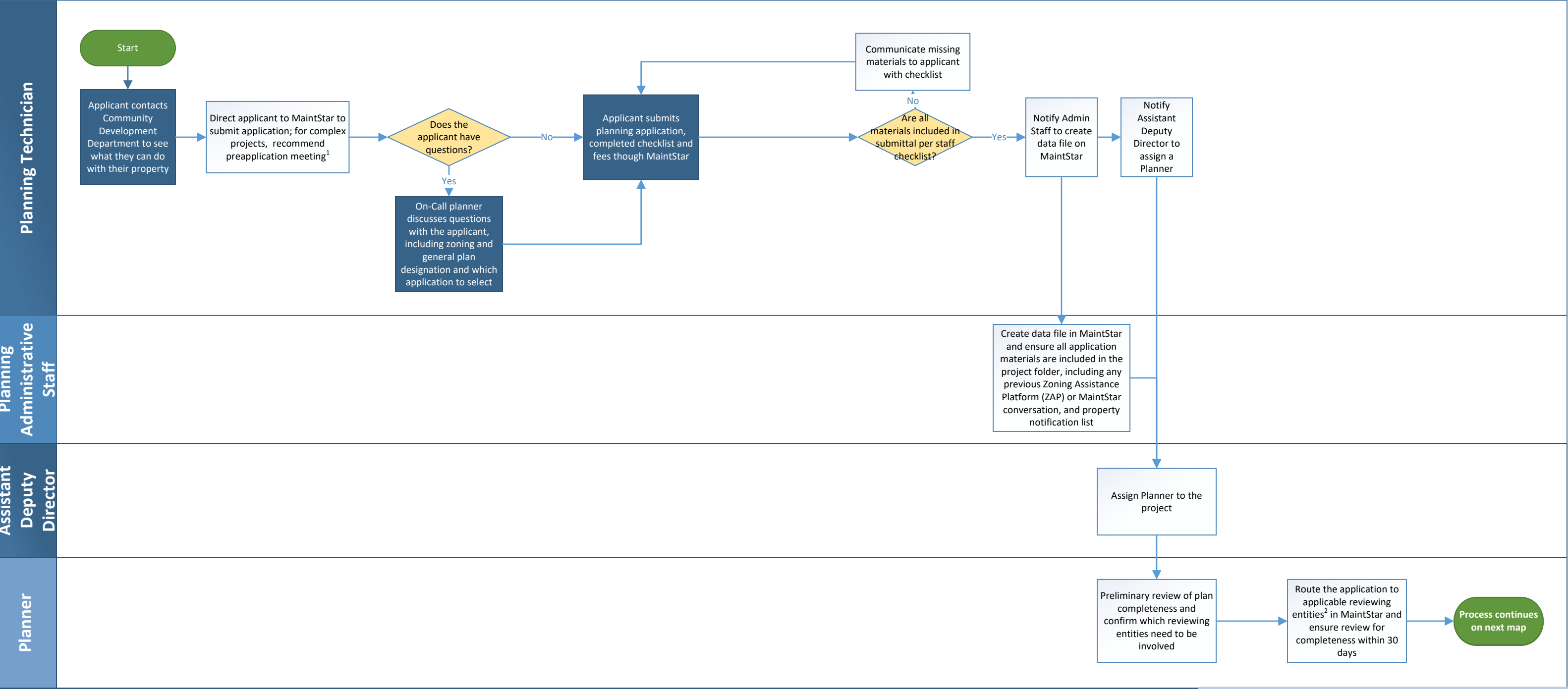
¹ Assessor, Planning and/or Building to clarify discrepancies in APNs, addresses, site development configuration; Grading for information on grading and surface water drainage structure permitting; Zone 7 to verify approval for commercial land use with OWS; Regional Water Board to verify permitting requirements for wineries and other facilities generating process wastewater

- Legend and Notes**
- Blue Boxes indicate direct customer involvement in a process.
 - White Boxes indicate an internal county process.

Attachment C – To-Be Process Maps

Entitlement “To-Be” Process (Map 1 of 4)

Preliminary Review, Application Intake and Project Assignment



¹For a pre-meeting, applicant submits form, drawings and fee. Assistant Deputy Director convenes appropriate departments (including Planning, Building, Fire, Land Development, and Environmental Health) to meet via Zoom..

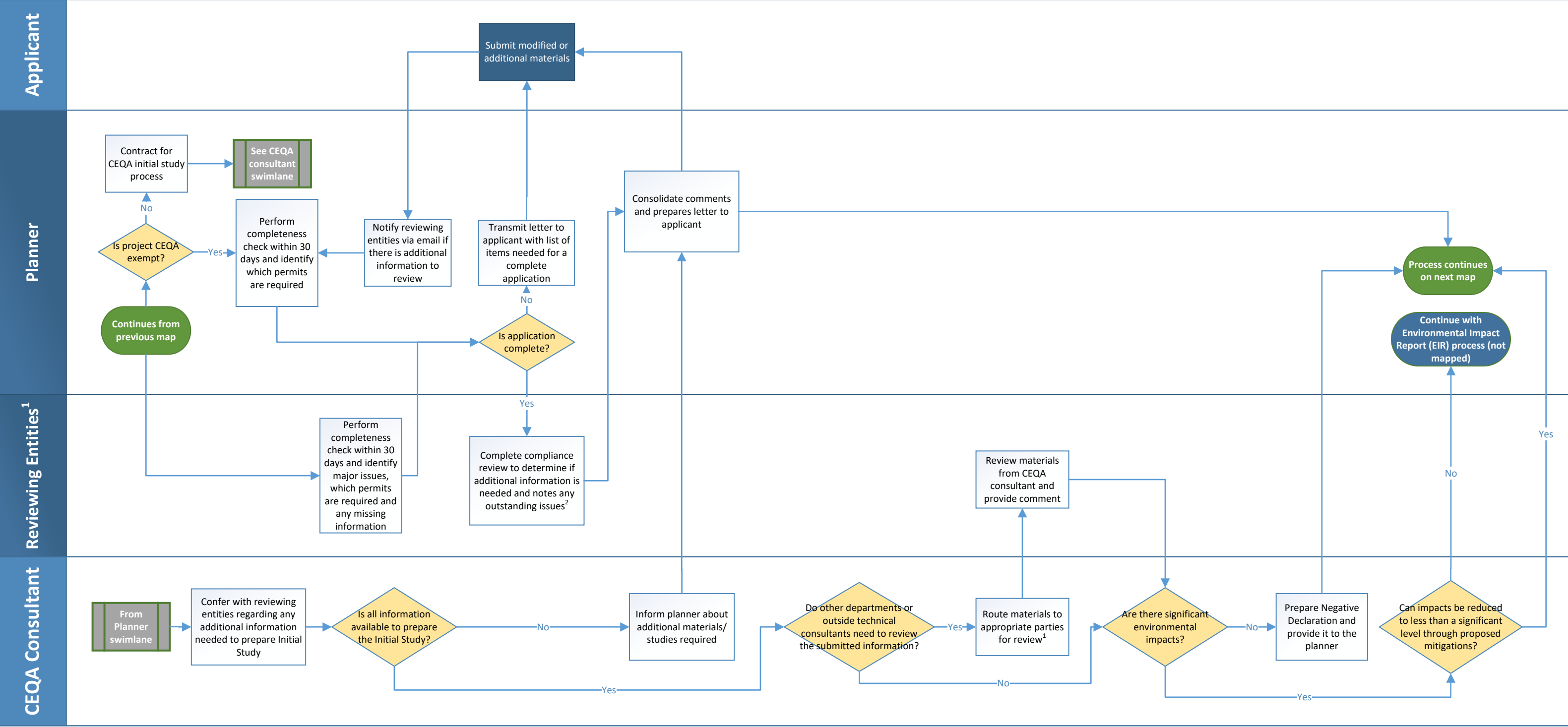
²Depending on the site, reviewing entities may include Department of Environmental Health, Onsite Wastewater Treatment Program, Department of Environmental Health, Clean Water, Alameda County Fire Department or City of Hayward Fire Department, Alameda County Public Works Agency, Building Inspections Department, Alameda County Economic and Civic Development Agency, Alameda County Public Works Agency, Construction and Land Development, Alameda County Public Work Agency, Grading Division, Alameda County Public Works Agency, Traffic Division, Alameda County Public Works Agency, Surveyor, Alameda County Sheriff’s Office, Castro Valley Sanitation District, Hayward Area Recreation District, California Department of Fish and Wildlife, Zone 7 Flood Control and Water Conservation, East Bay Municipal Utilities District (EBMUD), Oro Loma Sanitary District, Livermore Planning, and/or Pleasanton Planning.

Legend and Notes

- Blue Boxes indicate direct customer involvement in a process.
- White Boxes indicate an internal County process.

Entitlement “To-Be” Process (Map 2 of 4)

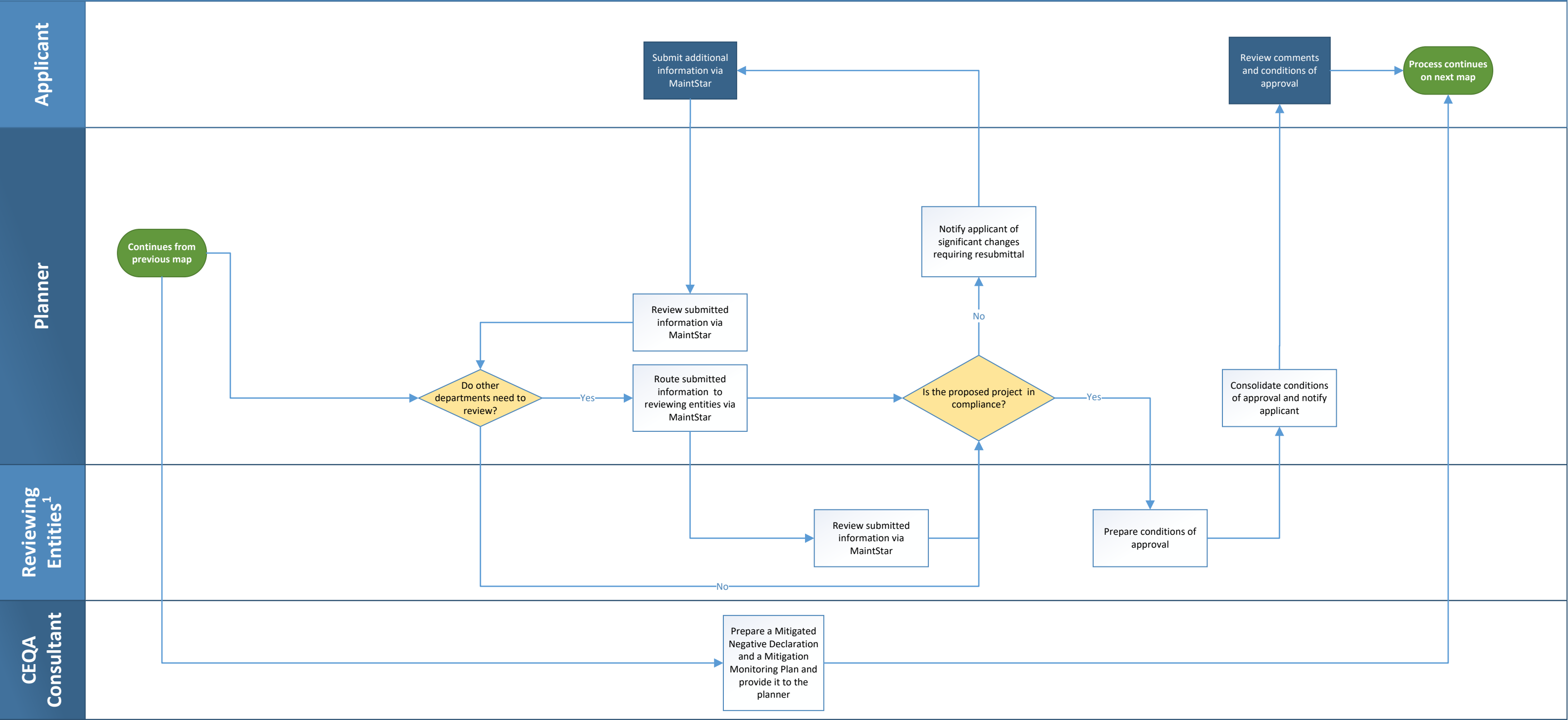
30-Day Letter and Initial Application Review



¹Depending on the site, reviewing entities may include Department of Environmental Health, Onsite Wastewater Treatment Program, Department of Environmental Health, Clean Water, Alameda County Fire Department or City of Hayward Fire Department, Alameda County Public Works Agency, Building Inspections Department, Alameda County Economic and Civic Development Agency, Alameda County Public Works Agency, Construction and Land Development, Alameda County Public Work Agency, Grading Division, Alameda County Public Works Agency, Traffic Division, Alameda County Public Works Agency, Surveyor, Alameda County Sheriff’s Office, Castro Valley Sanitation District, Hayward Area Recreation District, California Department of Fish and Wildlife, Zone 7 Flood Control and Water Conservation, East Bay Municipal Utilities District (EBMUD), Oro Loma Sanitary District, Livermore Planning, and/or Pleasanton Planning.

Entitlement “To-Be” Process (Map 3 of 4)

Resubmittal Process



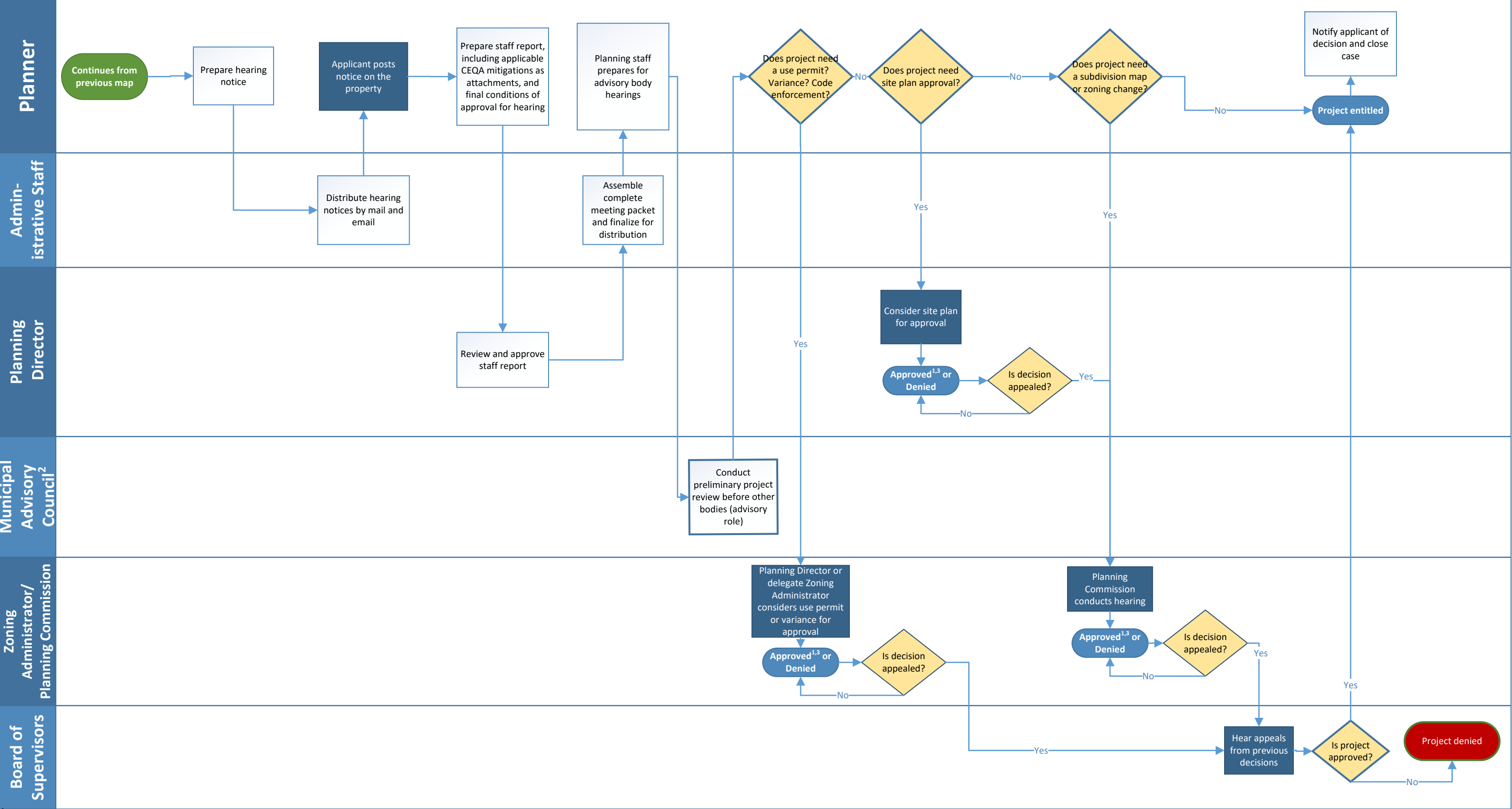
¹Depending on the site, reviewing entities may include Department of Environmental Health, Onsite Wastewater Treatment Program, Department of Environmental Health, Clean Water, Alameda County Fire Department or City of Hayward Fire Department, Alameda County Public Works Agency, Building Inspections Department, Alameda County Economic and Civic Development Agency, Alameda County Public Works Agency, Construction and Land Development, Alameda County Public Work Agency, Grading Division, Alameda County Public Works Agency, Traffic Division, Alameda County Public Works Agency, Surveyor, Alameda County Sheriff’s Office, Castro Valley Sanitation District, Hayward Area Recreation District, California Department of Fish and Wildlife, Zone 7 Flood Control and Water Conservation, East Bay Municipal Utilities District (EBMUD), Oro Loma Sanitary District, Livermore Planning, and/or Pleasanton Planning.

Legend and Notes

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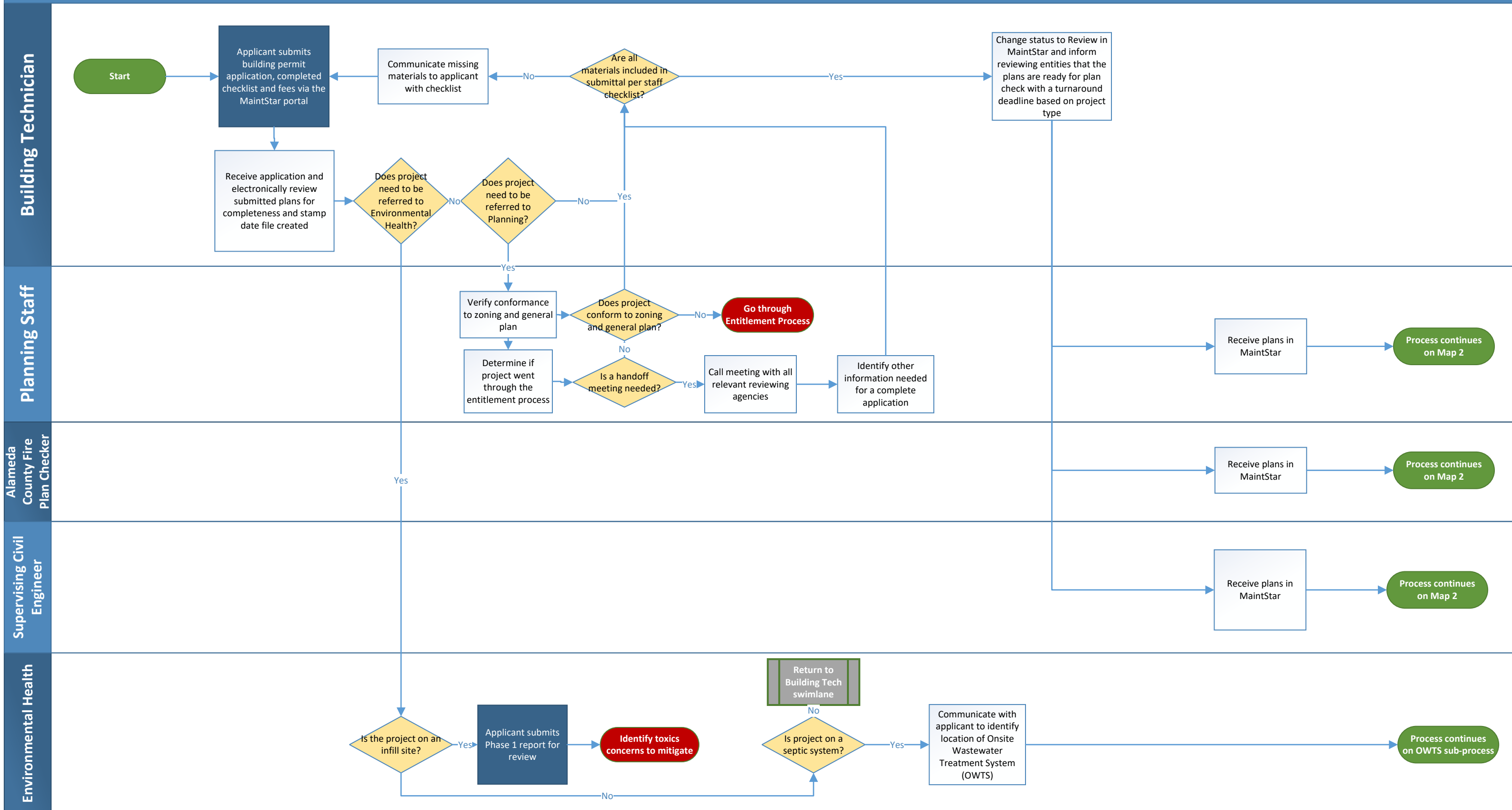
Entitlement “To-Be” Process (Map 4 of 4)

Public Hearings



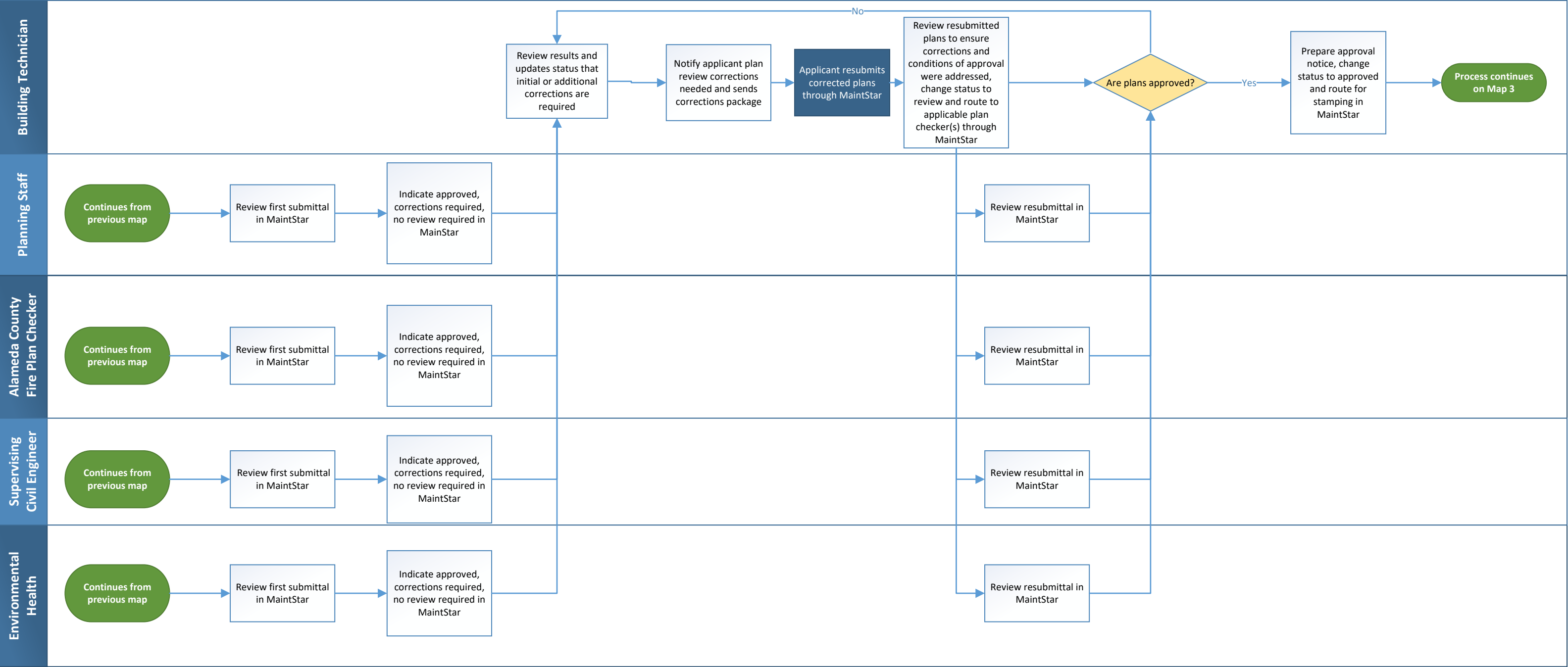
¹Wait for appeal period to expire
² Or Citizens’ Advisory Committee (Sunol)
³ Any approval includes adoption of the Negative Declaration and filing of a Notice of Determination, if applicable

Application Intake



“To-Be” Plan Check Process for Building Permit (Map 2 of 5)

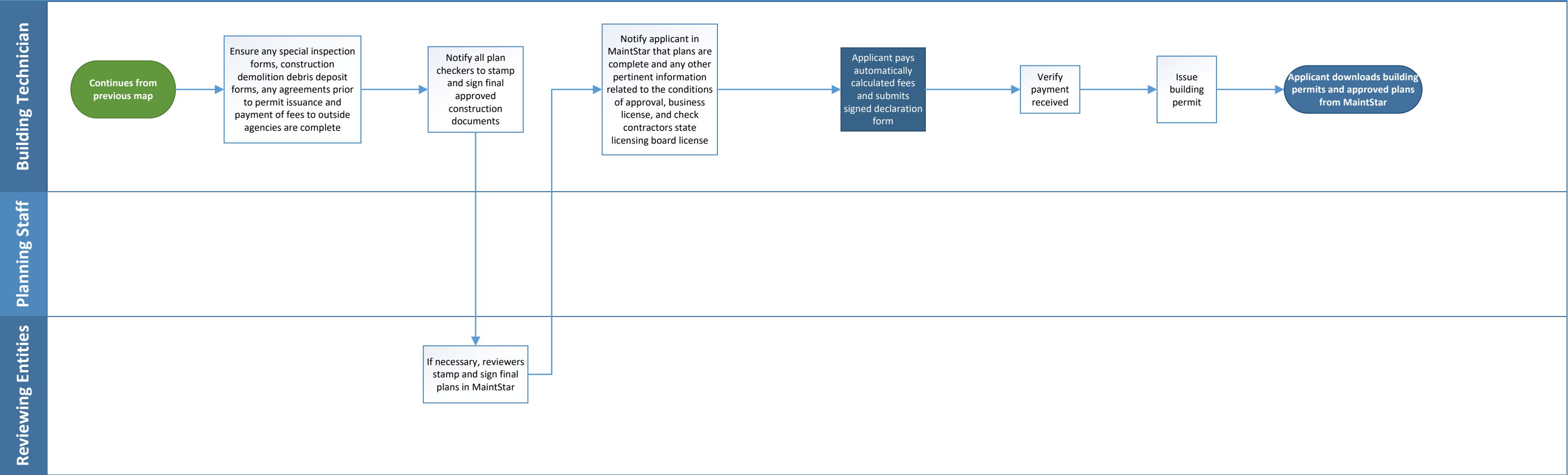
Plan Review



- Legend and Notes**
- Blue Boxes indicate direct customer involvement in a process.
 - White Boxes indicate an internal County process.

“To-Be” Plan Check Process for Building Permit (Map 3 of 5)

Building Permit Issuance



Legend and Notes

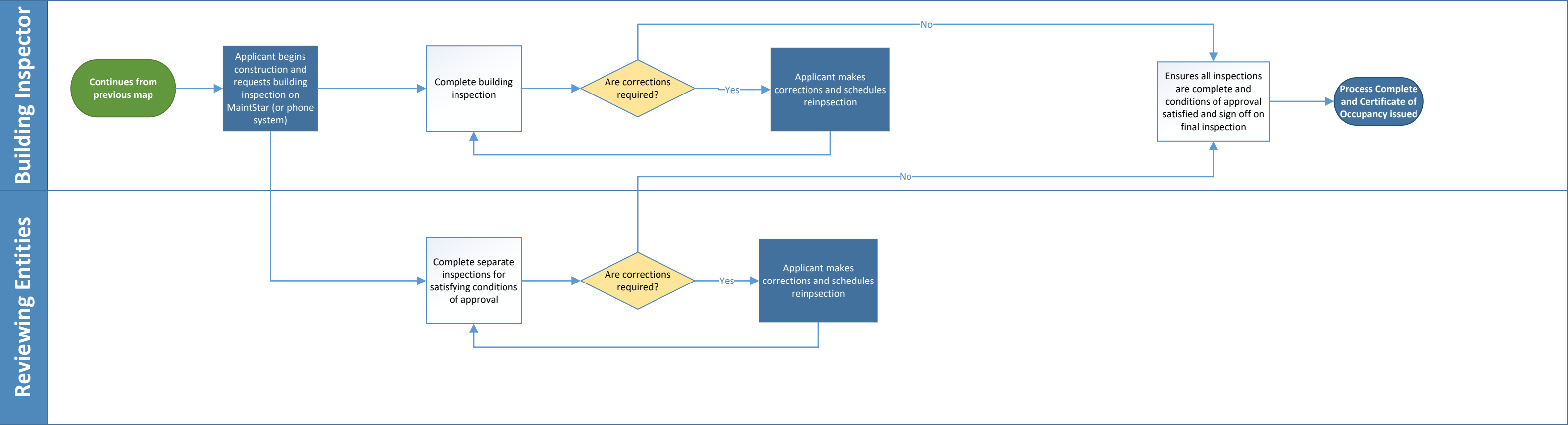
- Blue Boxes

 indicate direct customer involvement in a process.
- White Boxes

 indicate an internal County process.

“To-Be” Plan Check Process for Building Permit (Map 4 of 5)

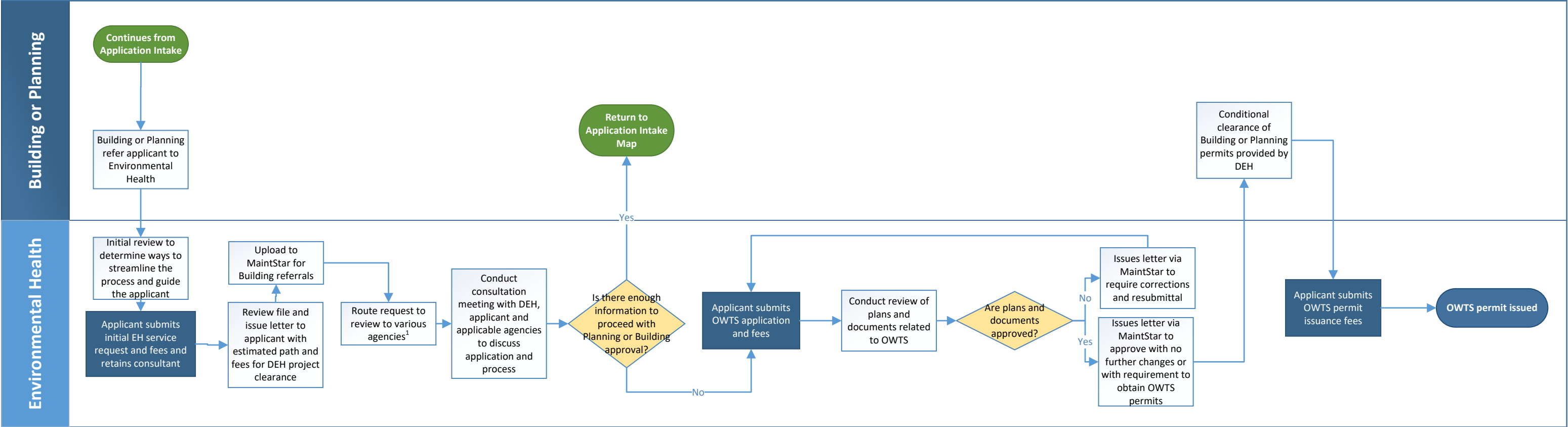
Building Inspection



Legend and Notes

- Blue Boxes indicate direct customer involvement in a process.
- White Boxes indicate an internal County process.

“To-Be” OWTS Sub-Process (Map 1)



1 Assessor, Planning and/or Building to clarify discrepancies in APNs, addresses, site development configuration; Grading for information on grading and surface water drainage structure permitting; Zone 7 to verify approval for commercial land use with OWS; Regional Water Board to verify permitting requirements for wineries and other facilities generating process wastewater

- Legend and Notes**
- **Blue Boxes** indicate direct customer involvement in a process.
 - **White Boxes** indicate an internal county process.

Attachment D – Functional Organization Charts by Department

Figure 5. Community Development Agency Functional Organization Chart

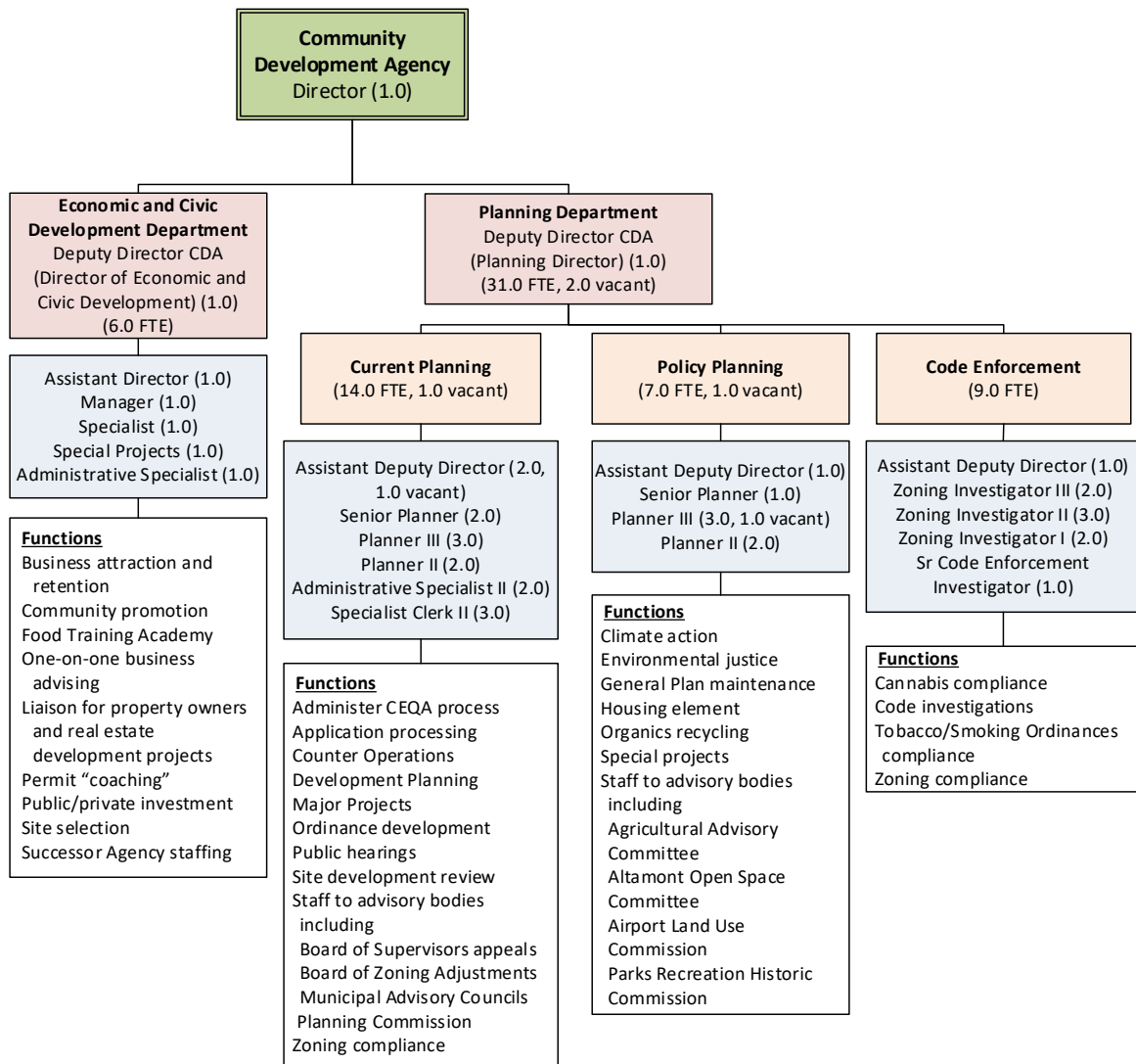


Figure 6. Fire Prevention Division Functional Organization Chart

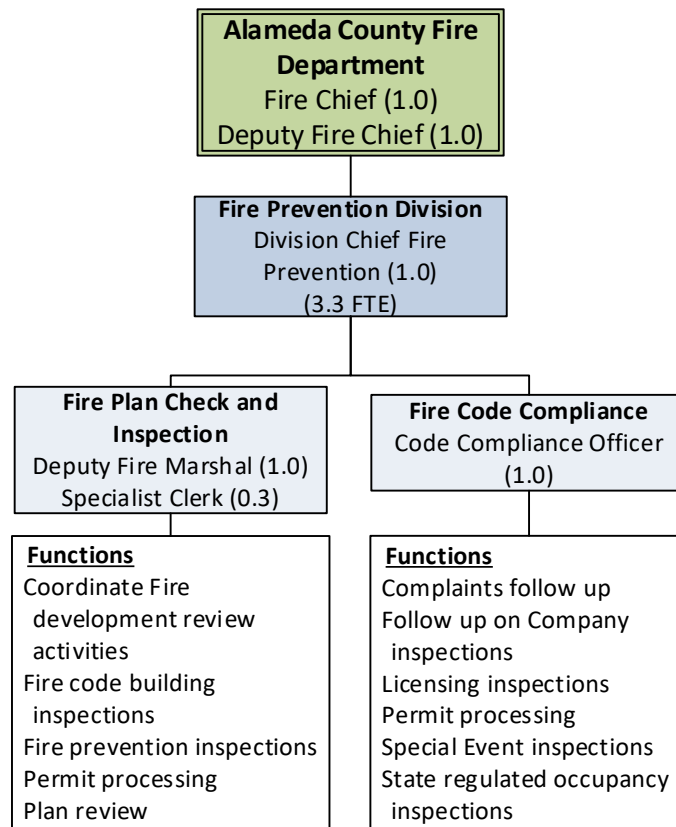


Figure 7. Environmental Health Department Functional Organization Chart

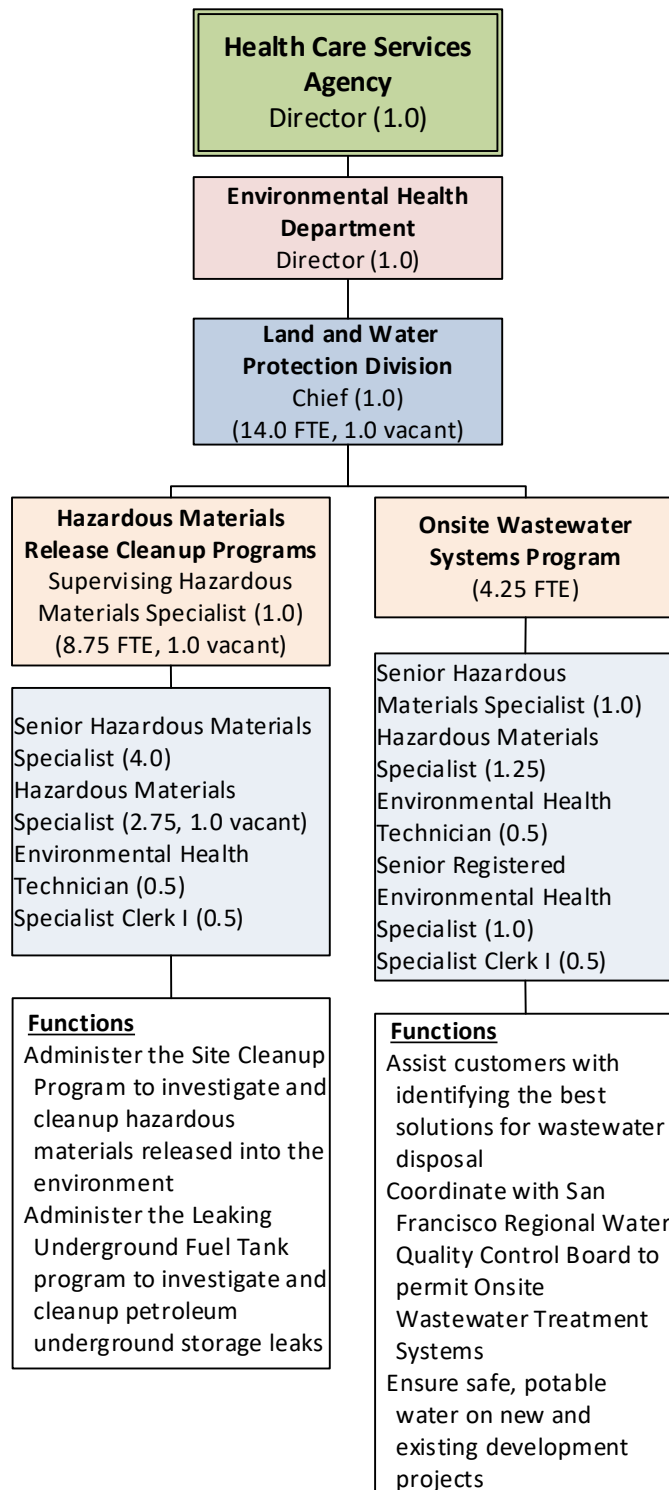
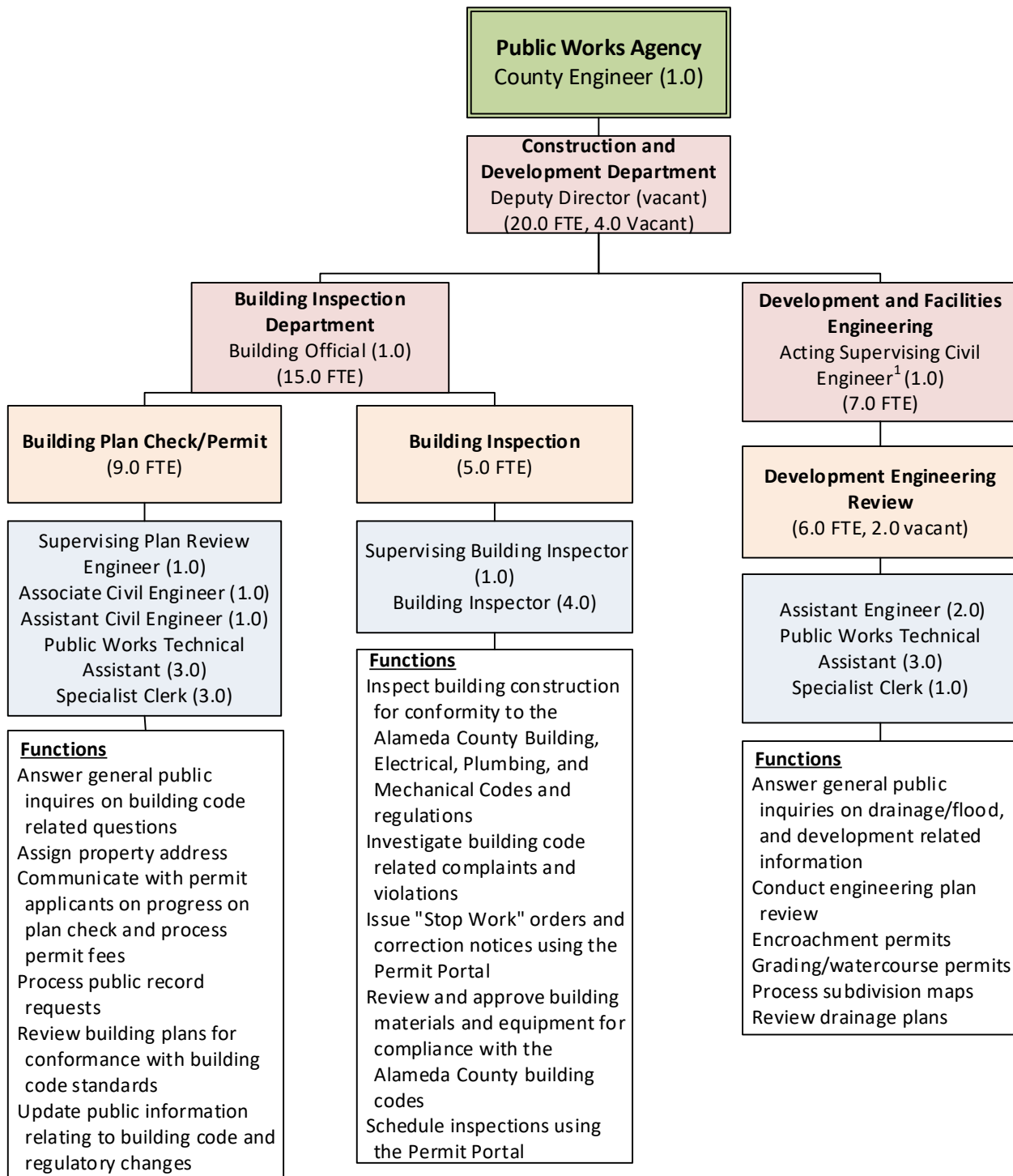
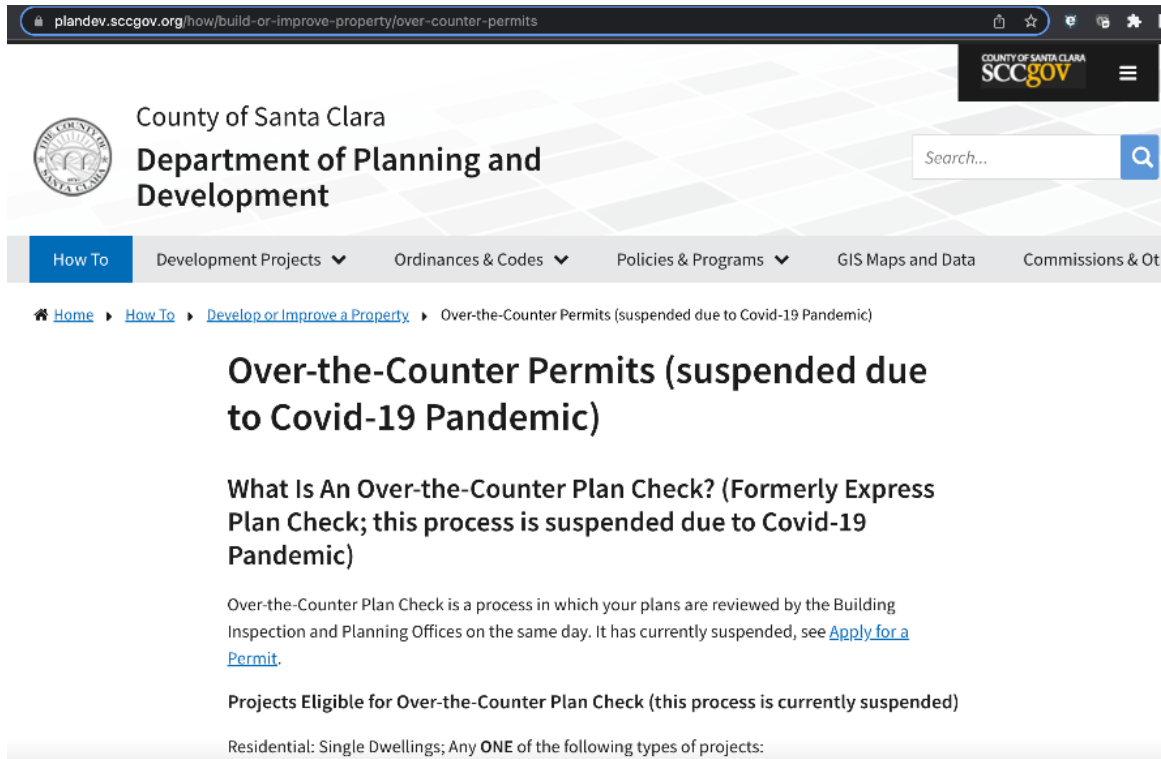


Figure 8. Construction and Development Department Functional Organization Chart



Appendix 1 – Santa Clara County Webpage Example

Santa Clara County provides an excellent example webpage (found online at [Develop or Improve a Property - Department of Planning and Development - County of Santa Clara \(sccgov.org\)](https://plandev.sccgov.org/how/build-or-improve-property/over-counter-permits)) of integrating the requirements of environmental health into the development process as shown in the screenshots below.



plandev.sccgov.org/how/build-or-improve-property/over-counter-permits

- Single-story addition less than 500 square feet
- Single-story deck, patio cover, patio enclosure, trellis (greater than 50% open), less than 500 square feet
- Interior alteration/repair of minor fire damage (amount of estimated contract price required)
- Roof pitch change, new roof structure, siding, fence over 6 feet high
- Garage conversion less than 500 square feet
- Detached accessory structures: garages, carport, storage buildings, barns, stable, greenhouse (1 story and less than 500 square feet)
- Voluntary seismic upgrade of foundation anchorage
- See exclusions

Commercial (Non-Residential) (all require amount of estimated contract price); Any **ONE** of the following types of projects:

- Non electric signs (with ASA Approval from Planning Office)
- Minor interior alterations for office (B occupancy) or retail space (M Occupancy), with no change in occupancy, exiting or structural systems
- Minor handicapped accessibility upgrades

Exclusions (Projects **NOT** eligible for Over-the-Counter Plan Check):

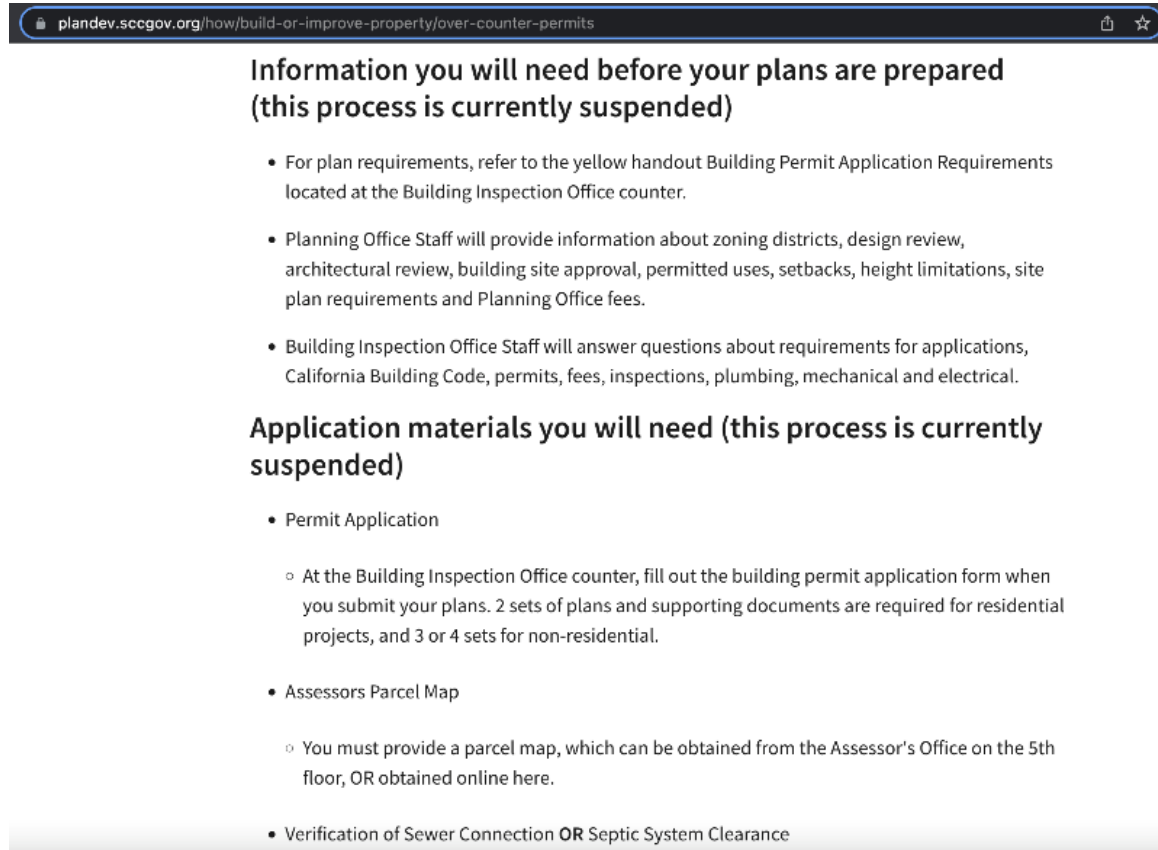
- Violations or work started prior to permit issuance
- Storage/use of hazardous materials of any amount

plandev.sccgov.org/how/build-or-improve-property/over-counter-permits

Exclusions (Projects **NOT** eligible for Over-the-Counter Plan Check):

- Violations or work started prior to permit issuance
- Storage/use of hazardous materials of any amount
- Detached building with more than 2 plumbing fixtures
- Secondary or new dwelling units
- Second story additions
- Revisions to plans for projects which are under construction
- Structures with fire sprinkler systems
- Retaining wall
- Photovoltaic systems
- Solar water heating systems
- Swimming Pools and Spas
- Buildings located in Special Flood Hazard Areas
- New Buildings located in Wildland Urban Interface (WUI)
- Foundation underpinning/repair (case-by-case)

**Information you will need before your plans are prepared
(this process is currently suspended)**



The screenshot shows a web browser window with the URL plandev.sccgov.org/how/build-or-improve-property/over-counter-permits. The page content is as follows:

Information you will need before your plans are prepared (this process is currently suspended)

- For plan requirements, refer to the yellow handout Building Permit Application Requirements located at the Building Inspection Office counter.
- Planning Office Staff will provide information about zoning districts, design review, architectural review, building site approval, permitted uses, setbacks, height limitations, site plan requirements and Planning Office fees.
- Building Inspection Office Staff will answer questions about requirements for applications, California Building Code, permits, fees, inspections, plumbing, mechanical and electrical.

Application materials you will need (this process is currently suspended)

- Permit Application
 - At the Building Inspection Office counter, fill out the building permit application form when you submit your plans. 2 sets of plans and supporting documents are required for residential projects, and 3 or 4 sets for non-residential.
- Assessors Parcel Map
 - You must provide a parcel map, which can be obtained from the Assessor's Office on the 5th floor, OR obtained online here.
- Verification of Sewer Connection OR Septic System Clearance

Clearly outlined in the items needed for a complete application includes verification of sewer connection *or* septic system clearance. The details below specify how to obtain clearance from the Department of Environmental Health for septic and provide a link and contact information.

plandev.sccgov.org/how/build-or-improve-property/over-counter-permits

- Verification of Sewer Connection OR Septic System Clearance
 - Sewer: Bring your tax bill or letter of verification from the sewer provider, which confirms sewer connection. If you do not have this bill, you may obtain a copy from the Tax Information counter on the 6th floor of this building.
 - Septic: The Department of Environmental Health (DEH) will require that you obtain clearance from the DEH office prior to issuance of the building permit. An inspection of the septic tank and drain field may be necessary to obtain this clearance. If required, provide 4 copies of the site plan to the DEH inspector to sign. The DEH inspector will keep 1 copy. Submit the other 3 copies with your building permit application to the Building Inspection Office.
 - Department of Environmental Health (DEH):
(408) 918-3400
1555 Berger Drive, Suite #300
San Jose, CA 95112-2716

How Do I Apply for Over-the-Counter Plan Check? (this process is currently suspended)

Call 408 299-5770 to make an Appointment. Appointments are available on Wednesdays and Fridays from 8:30am to 2:30pm.

The owner must sign the Owner-Builder Declaration on the application, unless a licensed contractor signs the application. If you are the owner's representative, you will need the NOTARIZED Owner Builder form designating you as the authorized agent of the homeowner to sign the application.

Licensed contractors must provide a copy of their Workers' Compensation Insurance Certificate.

plandev.sccgov.org/how/build-or-improve-property/over-counter-permits

How Do I Apply for Over-the-Counter Plan Check? (this process is currently suspended)

Call 408 299-5770 to make an Appointment. Appointments are available on Wednesdays and Fridays from 8:30am to 2:30pm.

The owner must sign the Owner-Builder Declaration on the application, unless a licensed contractor signs the application. If you are the owner's representative, you will need the NOTARIZED Owner Builder form designating you as the authorized agent of the homeowner to sign the application.

Licensed contractors must provide a copy of their Workers' Compensation Insurance Certificate.

Payment (this process is currently suspended)

Bring at least two checks or cash with you. We now accept MasterCard, Discover and American Express Credit Cards and VISA Debit Cards. (A service fee applies.)

[Report a problem on this page](#)

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The septic link takes the applicant to the detailed webpage for the Land Use Program – Onsite Wastewater Treatment Systems. An explanation, followed by a list of links provides all the information an applicant will need to submit to get through the development process successfully.



The screenshot shows a web browser displaying the URL cpd.sccgov.org/programs-and-services/land-use-program-onsite-wastewater-treatment-systems. The page header includes the County of Santa Clara logo, the text "County of Santa Clara Consumer Protection Division", and navigation links for "Public Health Department" and "Department of Environmental Health". A search bar is also present. The main navigation menu lists "Programs and Services", "Food", "Water", "Public Information", "Fees/Payments", "About CPD", "Contact Us", and "DEH Home". The breadcrumb trail shows "Home > Programs and Services > Land Use Program - Onsite Wastewater Treatment Systems".

Land Use Program - Onsite Wastewater Treatment Systems

The Land Use Program works to ensure that proper sewage disposal facilities are provided where public sewer services are not available.

OWTS are the alternative to sanitary sewers. The Land Use Program specialists perform site surveys to determine the feasibility for septic systems, specify the conditions for installation, conduct installation inspections to ensure conformance to the County of Santa Clara ordinance, issue permits for new septic systems and repairs to existing systems, and maintain permit records.


The County of Santa Clara adopted a [new ordinance](#) on **December 26, 2013** that updates and replaces the previous County regulations governing individual onsite wastewater treatment systems (OWTS) within the unincorporated parts of the County. The modifications allow for a broader range of treatment and dispersal designs (alternative



County. The modifications allow for a broader range of treatment and dispersal designs (alternative systems that use pre-treatment technologies), and eliminates the 1-acre minimum lot size requirement for installation of OWTS in the Lexington Basin. The project also includes changes to a County General Plan policy and supporting descriptive text that reference use of alternative OWTS as well as a change to the Zoning Ordinance eliminating the minimum lot size requirement for secondary dwelling units in the San Martin Planning Area. **All land use projects submitted on or after December 26, 2013 will be reviewed using the new ordinance and OWTS manual.**

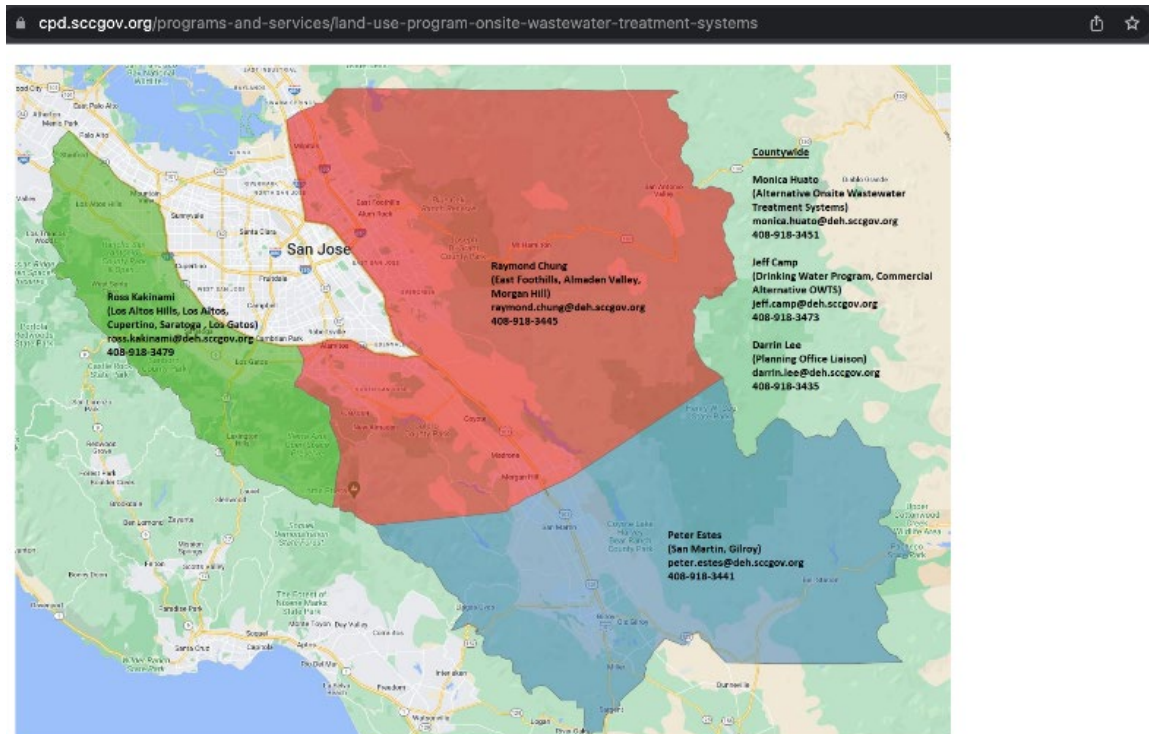
How to Submit for:

- [Septic/OWTS for New Development](#)
- [Septic/OWTS for Secondary Dwelling/Accessory Dwelling Unit \(ADU\)](#)
- [Repair of Failing Septic/OWTS](#)
- [Upgrade of Septic/OWTS](#)
- [Septic/OWTS Clearance](#)
- [Septic Tank/OWTS Abandonment](#)
- [As-built of Existing Septic/OWTS](#)



Quick Links

- Planning for a PG&E Rolling Outage
- List of Certified Healthy Nail Salon
- Santa Clara County Open Data Portal
- Make Payments Online, In-Person, or By-Mail
- Fire Safety Information
- Food Facility Inspection Reports
- New Legislation Related to Food Service
- Unpermitted Food Vendors
- Permits, Applications & Fees
- Public Records Request
- Filing Complaints
- Contact Us



Applications

[Land Use Service Application Packet](#)

cpd.sccgov.org/programs-and-services/land-use-program-onsite-wastewater-treatment-systems

Applications

- [Land Use Service Application Packet](#)

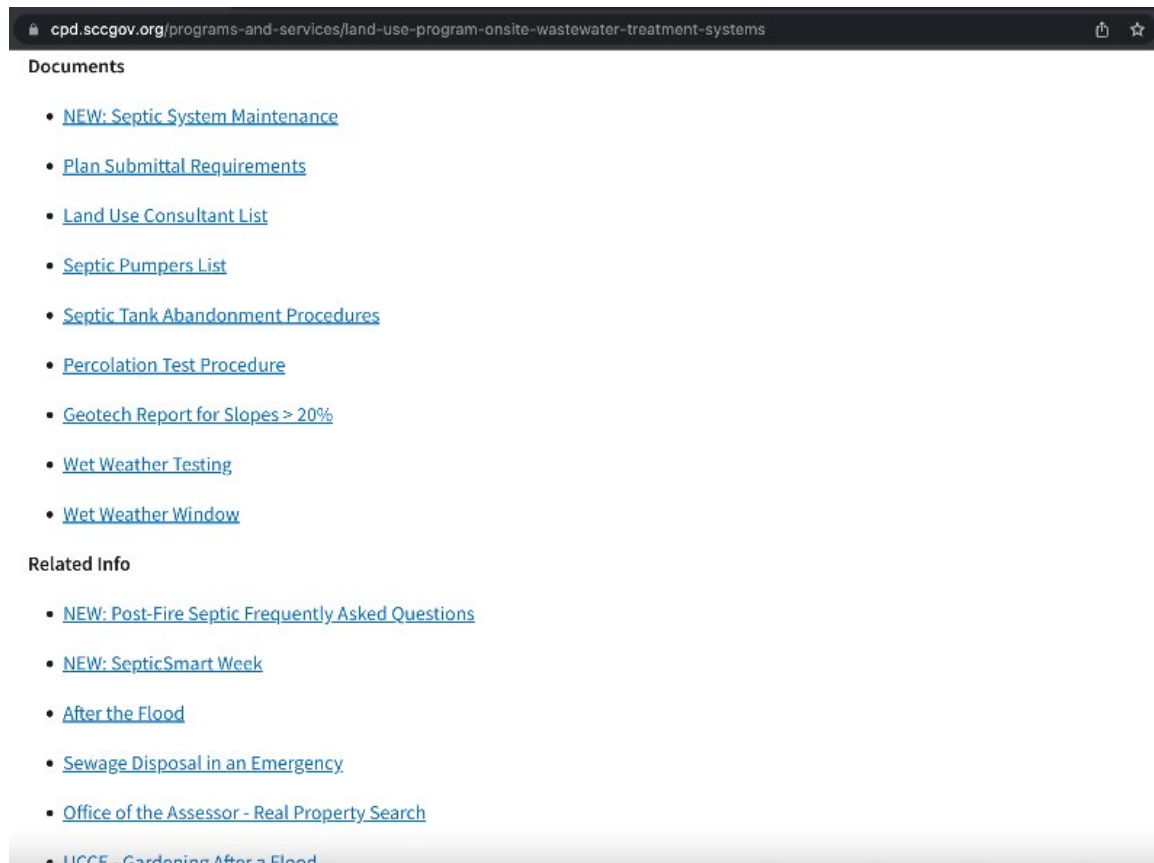
Onsite Systems Manual

- [Onsite Systems Manual - May 2014](#)
- [OWTS Section 1: Policies & Procedures](#)
- [OWTS Section 2: Site Evaluation](#)
- [OWTS Section 3: Installation Requirements](#)
- [OWTS Section 4: Alternative Systems](#)
- [OWTS Section 5: Operation & Maintenance](#)

Ordinance & Regulations

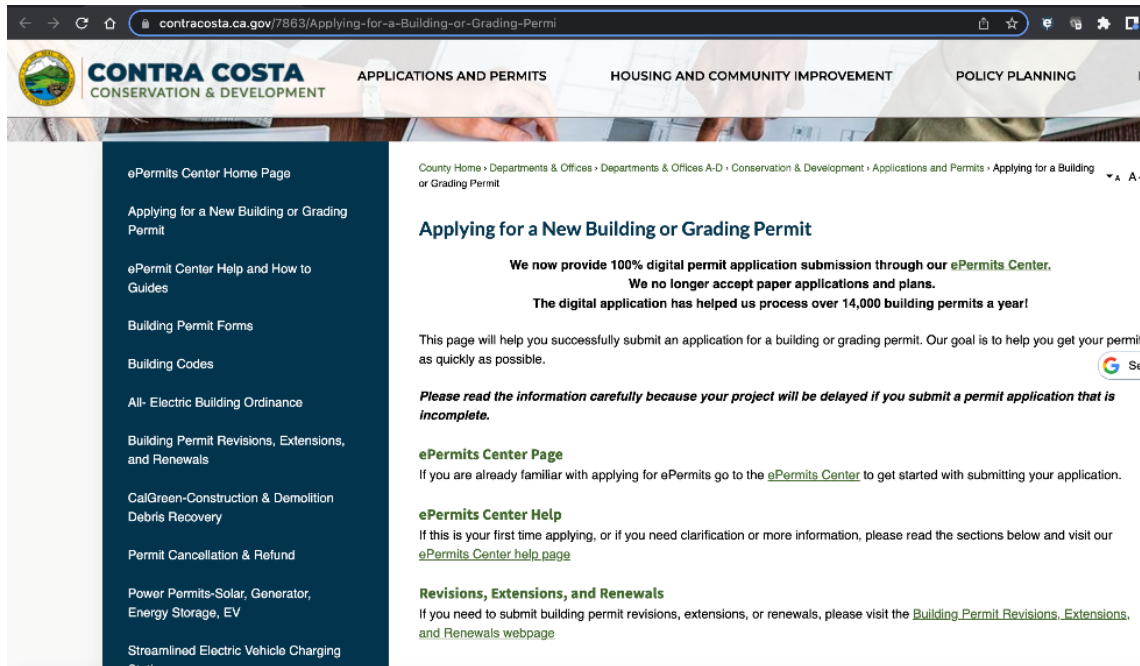
- [OWTS Ordinance - Effective 12/26/13](#)
- [Onsite Wastewater Treatment Systems FAQ](#)
- [Final Program Environmental Impact Report](#)
- [SCC LAMP \(Local Agency Management Plan\)](#)
- [State Water Resource Control Board OWTS Policy](#)

Documents

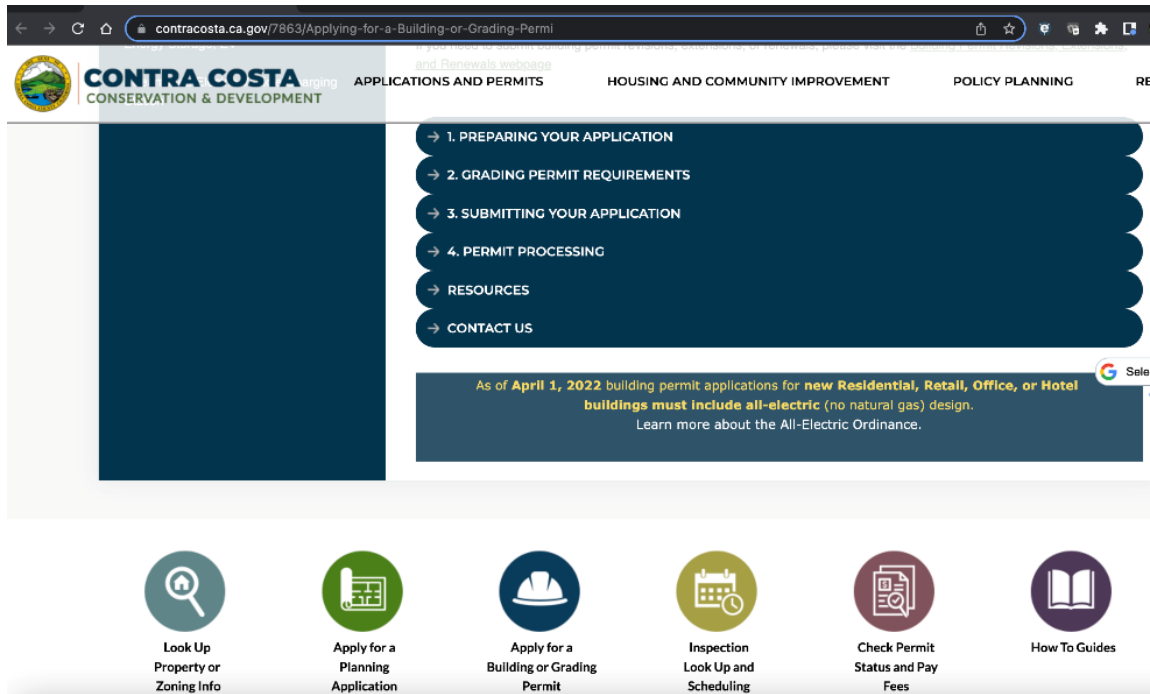


Appendix 2 – Contra Costa County Webpage Example

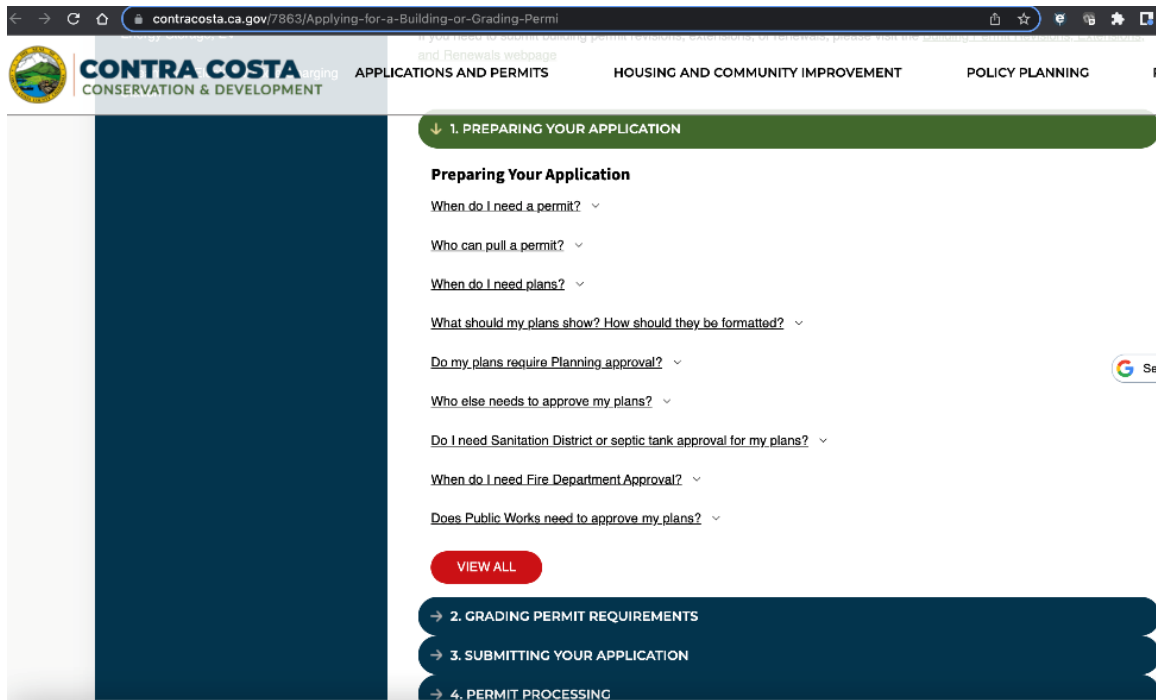
Contra Costa County provides a model for an easy-to-navigate webpage (found online at [Applying for a New Building or Grading Permit | Contra Costa County, CA Official Website](https://contracosta.ca.gov/7863/Applying-for-a-Building-or-Grading-Permit)) outlining the steps an applicant needs to complete when applying for a new building permit or grading permit.



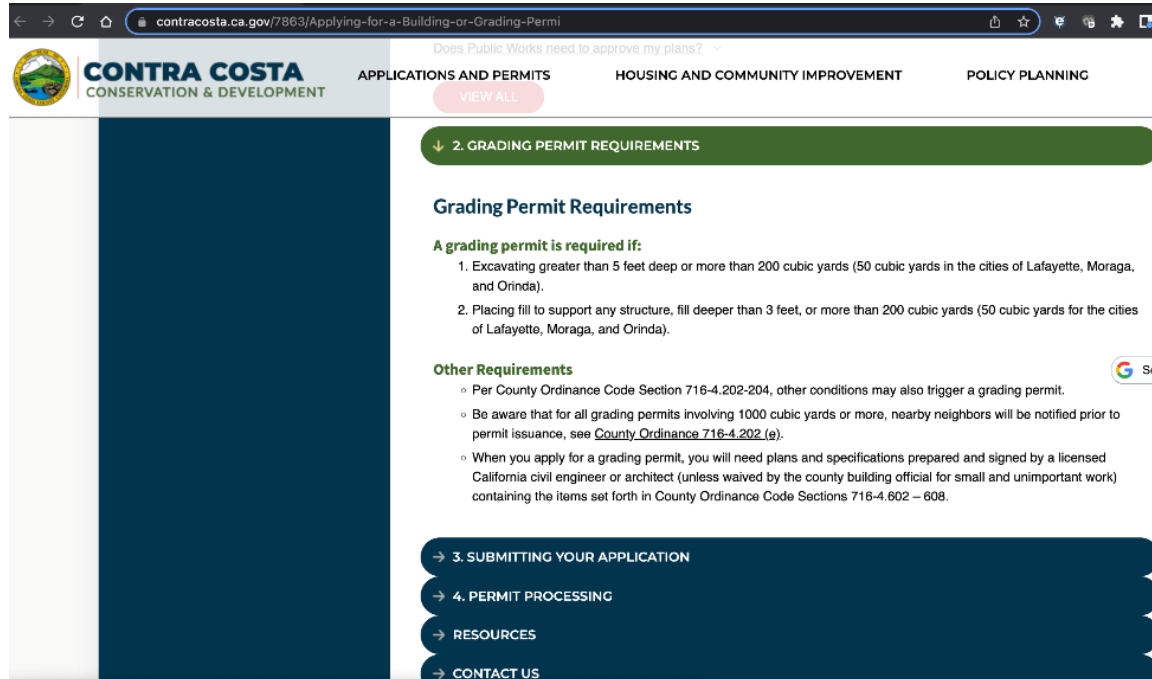
It contains dropdowns as shown in the screen shots below. Each numbered item can be clicked on for additional details as shown in the following images.



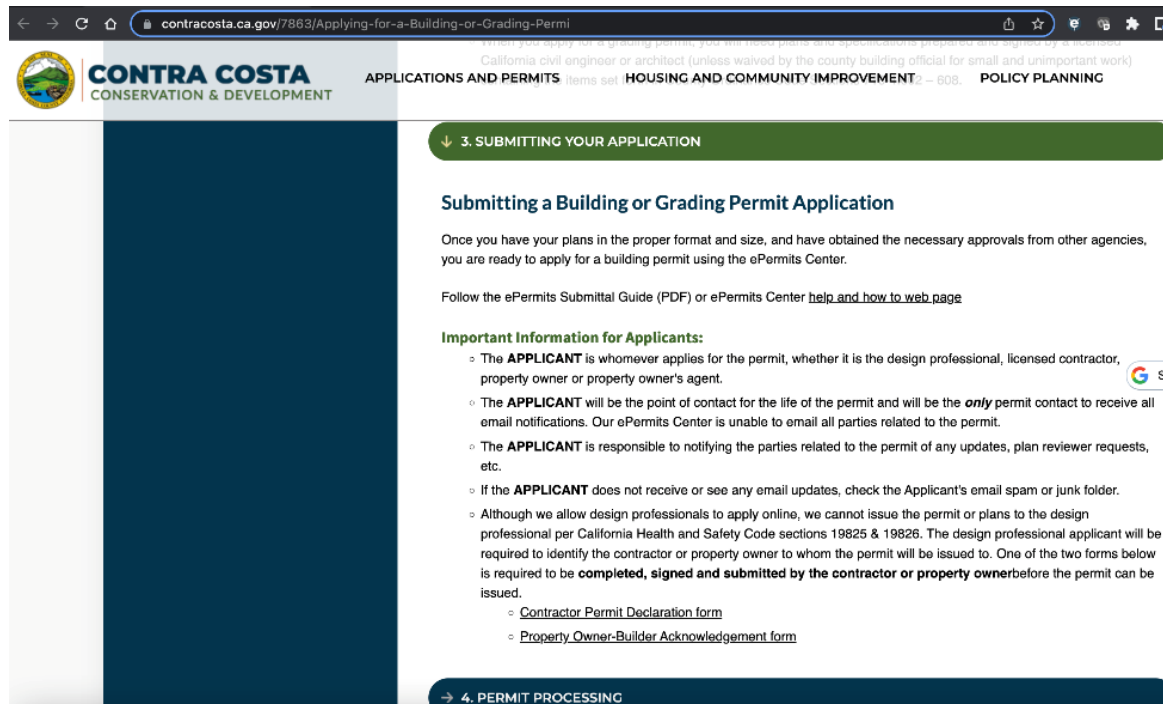
The first dropdown answers frequently asked questions about preparing your application.



The second dropdown outlines grading permit requirements.



The third dropdown provides specific instructions for submitting and essential information for applicants.



The fourth dropdown walks through the different steps of permit processing from submittal through inspection.

The screenshot displays the Contra Costa County website's permit processing page. The browser address bar shows the URL: contracosta.ca.gov/7863/Applying-for-a-Building-or-Grading-Permi. The website header includes the Contra Costa Conservation & Development logo and navigation links for APPLICATIONS AND PERMITS, HOUSING AND COMMUNITY IMPROVEMENT, POLICY PLANNING, and RI. A green dropdown menu is open, showing '4. PERMIT PROCESSING'. The main content area is titled 'How your Permit Application is Processed' and lists eight steps: Step 1 - Application Submittal, Step 2 - Initial Review, Step 3 - Pay Fee, Step 4 - Plan Review, Step 5 - Check Permit Status, Step 6 - Final Payment, Step 7 - Permit Issued, and Step 8 - Inspections. Each step includes a brief description and links to relevant guides or documents. The page is designed with a dark blue sidebar and a white main content area.

4. PERMIT PROCESSING

How your Permit Application is Processed

Step 1 - Application Submittal
Submit your Building or Grading Application through the ePermits website.

- View the [Guide on Requirement for Preparing Electronic Plan Submittals \(PDF\)](#)
- View the [How to Apply for Building ePermit Submittal \(PDF\)](#)
- View the [what to expect after submitting an online application guide \(PDF\)](#)

Step 2 - Initial Review
The initial review is to make sure your application files are complete and we have all documents needed to begin plan review if required. This takes about 4-5 business days.

- If your application is incomplete, we will contact you by email with instructions so that you can successfully complete and resubmit plans and/or other documents.
- If initial review is deemed complete, your official permit application numbers will be filed and you will be notified who your plan reviewer is.

Step 3 - Pay Fee
Larger projects require a plan check fee at the beginning of the plan check process. We will email you instructions for paying online on the ePermits Center website. Credit card and e-check payments are accepted online. After we have confirmed your payment, plan review will begin on your project. See [How to Make a Payment Guide \(PDF\)](#)

Step 4 - Plan Review
Your plan reviewer will review your uploaded documents for compliance with State and Local codes.

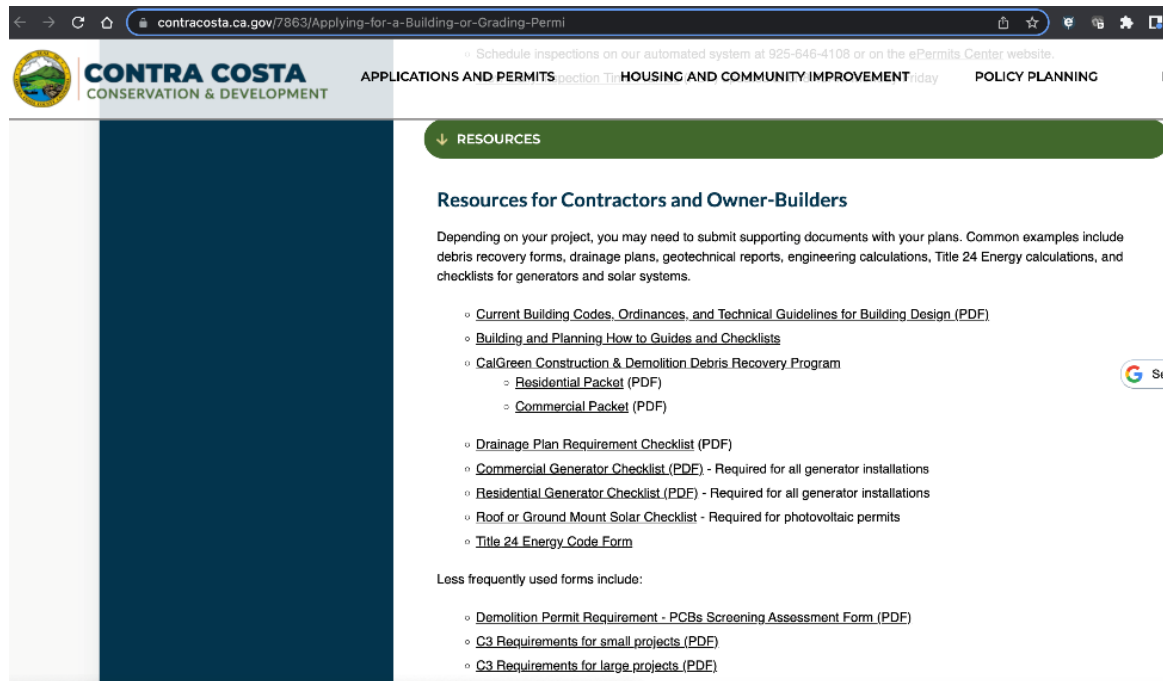
Step 5 - Check Permit Status
You can check your permit's processing status in real time on our ePermits Center website, including up to date information and comments about your permit. Anyone can view the status online and log in is not required.
[View How to View Permit Status \(PDF\)](#)

Step 6 - Final Payment
Staff will contact you to pay the balance of your permit fees. You can pay using the ePermits Center website
[View How to make a payment \(PDF\)](#)

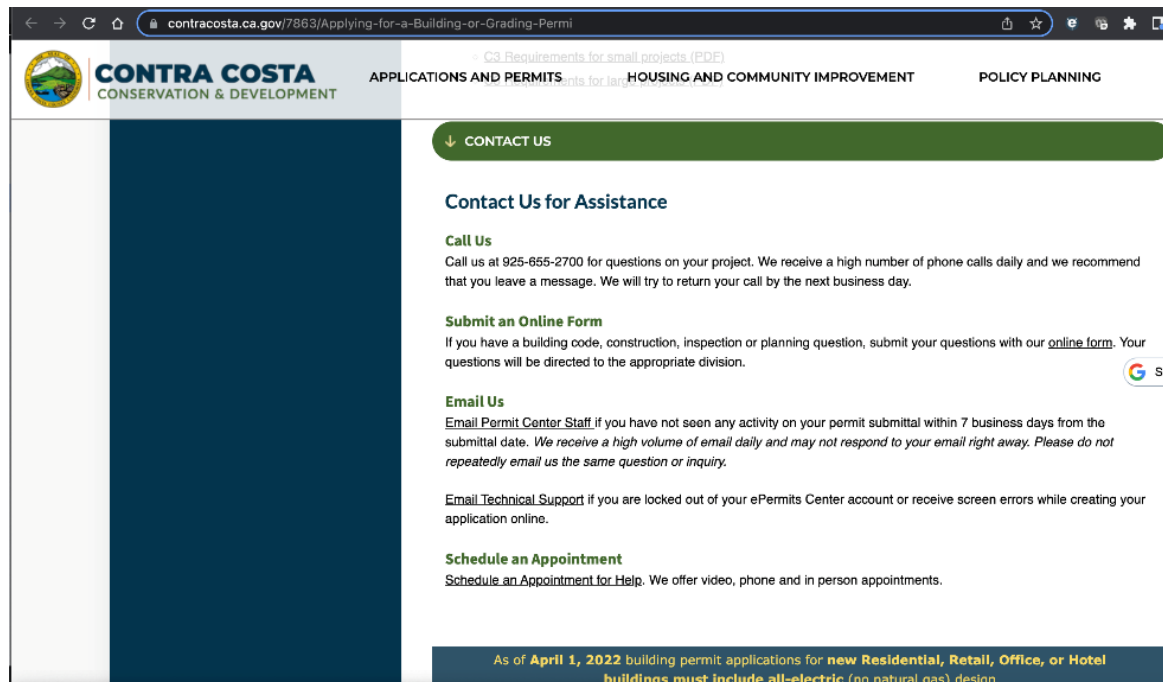
Step 7 - Permit Issued
After payment has been confirmed, you will be notified by email to download your permit card and approved plans.
You will be required to provide a printed copy of the permit card and full-size approved plans at the permit site.
[View Tips for Printing Reviewed Digital Plans \(PDF\)](#)

Step 8 - Inspections
Building Inspections ensure the built project meets the permitted plans.

The fifth dropdown provides additional resources, including building codes, 'how to' guides and specific checklists by project type.



The final dropdown contains multiple methods for applicants to contact staff.



In all, the webpage is simple and provides clarity and certainty for applicants. It intuitively takes the visitor through all the steps to successfully obtain a permit.