

TOWN OF WOODSIDE

Report to Town Council
From: Susan George, Town Manager

Agenda Item 5
February 27, 2001

SUBJECT: REPORT ON THE DEPARTMENT OF PLANNING AND BUILDING AND THE DEVELOPMENT PROCESS AND RESOLUTION MODIFYING THE 2000-01 ADOPTED BUDGET AND THE TOWN'S SALARY SCHEDULE AND CLASSIFICATION PLAN

RECOMMENDATION

It is recommended that the Town Council review this report, accept its findings and recommendations, and adopt the attached resolutions which modify the 2000-01 Adopted Budget and the Town's Salary Plan and Classification Schedule.

BACKGROUND

When the Town Council last assessed the Town Manager's performance, concern was expressed about the Planning Department and the need to make changes and improvements that would provide a higher level of quality service to the users of the department's services, who are the Town's residents and their hired experts. The Town Council directed the Town Manager to ascertain the scope of the concerns and to report back to the Council on those resources needed to develop a plan of action for ensuring that all concerns were met.

During the past months, the Town Manager has worked with Irwin Kaplan, a consultant hired to look at all aspects of the planning and building operation. Mr. Kaplan worked closely on a day-to-day basis with the staff in the department. He met with individual Councilmembers, Planning Commissioners, and Architectural and Site Review Board members. He also met with several Town advisory committees and with a broad cross-section of applicants and their experts. He has committed his observations and recommendations to paper in the report that is attached to this report. This report serves as an Executive Summary of those observations and recommendations that the Town Manager considers to be most important for the Town Council's focus.

DISCUSSION

The majority of the concerns about the Planning and Building Department involve current planning and the experiences that individuals have as they go through the steps of getting an application approved. Long-range planning considerations are equally as important, however, in the quest to improve the planning and development function.

The Town's Planning and Building Department has eight full-time employees, one intern, and several outside consultants who provide planning, plan checking, and building inspection services. The current planning aspects of the department (development-related) are fully supported by the fees and deposits that are charged to applicants. The long-range planning activities (zoning code modifications, General

Plan updates, etc.) are not supported by fees and must be supported by the General Fund. Because of the demand of current planning activities in recent years (when there has been unprecedented development and redevelopment activity) and because of planning-related litigation in the mid-1990's, relatively little focus has been placed upon long-range planning. The major exceptions to this were the adoption of the Glens and Emerald Lake Hills Specific Plans and the adoption of zoning code changes that had their genesis in the work of the Ad Hoc Zoning Code Committee. The Planning Department Work Plan includes many long-standing projects of a long-range nature. Beginning last year, additional funds were provided to hire planning consultants to assist with the higher priority projects (Design Guidelines, Accessory Living Quarters Regulations, Housing Element update). There are still many such projects to be undertaken and completed. Furthermore, the Town should take on a General Plan review and update in the near future, which will be a major task.

The Town's current planning process involves many players besides the Planning and Building Department: the Town Engineer, the Town Geologist, the Woodside Fire Protection District, the County of San Mateo (for septic system issues), and the applicant and his or her experts. The input of Town advisory groups is also involved (Woodside History Committee, Conservation and Environmental Health Committee, Trails Committee). While the Planning and Building Department is key in the processing of individual applications, coordination with all of the other players is essential. Recommendations to change one aspect of the development process must take all of the coordination aspects into account. Finally, in fashioning changes, it is important to acknowledge that the Town has put many regulations into place that are designed to further the Town's larger goals, as advanced by the General Plan. Many of these complicate the application approval process and add processing time, to the frustration of the applicant.

SUMMARY OF THE FINDINGS IN THE KAPLAN REPORT

The problems and observations in the report include:

- ✓ The planning approval process is fragmented, with no one person responsible for each project.
- ✓ The department is process-oriented, rather than customer-oriented.
- ✓ There is a reluctance to exercise authority where policies are unclear or in conflict.
- ✓ There are competing policies that may take precedence over the development process.
- ✓ There are redundant or duplicative reviews in some cases that increase time and financial aspects of a project.
- ✓ Some regulations and policies are difficult to follow, are poorly organized, or are internally inconsistent.
- ✓ There are many outside impacts upon the Town's development process that cannot be avoided, such as compliance with the California Environmental Quality Act (CEQA), the Americans With Disabilities Act (ADA), the Department of Fish and Game, the Army Corps of Engineers, and the Regional Water Quality Control Board.

- ✓ As discussed earlier, current planning is the priority at the expense of long-range planning.
- ✓ The reality of public officials who are doing development-related work in Town can complicate staffs' roles and their relationships with those public officials.
- ✓ There are minor procedural aspects of the process that can be modified to make the entire process less burdensome and less frustrating.

The Town Manager concurs with these observations, based upon experience with the Town's planning and development process and with discussions with individuals who have been intimately involved in the process. People have commented that the codes can be difficult to work with and that staff interpretations are not always consistent. Many negative comments have been heard about the Town's use of contract plan checkers and building inspectors, who are not directly accountable to the Town and who can use inconsistent standards in their review processes. People have also expressed their desire for more access to staff and for simpler permits to be issued across the counter.

The Town Council clearly cannot (and may not want to) resolve all of these "problems" since they are not all within the Town Council's control. There are recommendations for addressing each of them in some fashion, nonetheless, keeping the objective of quality customer service in mind.

RECOMMENDED ACTIONS

Mr. Kaplan's report includes many recommendations for addressing the problems that he has identified. In some cases, action has already been taken to implement certain of these recommendations, where they were procedural in nature, did not involve added cost, and were not issues of policy. The following is a summary of all the recommendations that the Town Manager believes will effectively address the desire to improve the operation of the department. An estimate of funding implications and a projected implementation timeline are included. The recommendations are organized into four categories.

⇒ Staffing Levels and Organization

The mix of skills and capabilities in the department and the delegation of responsibility among staff members are critical to accomplishing desired changes. Although the upcoming departure of several incumbent staff members provides an opportunity that will facilitate change, there are several critical staffing and organizational changes that are necessary to appropriately position the department. Mr. Kaplan's report speaks to some of these changes. A key change is that **the focus of the Planning Director should be on long-range planning issues, continuous process improvement, policy implementation, and departmental management.** Given the Town's historic workload, the Planning Director has always had to relegate these activities to a second place behind the processing of current planning applications.

This has caused the Town to fall behind in addressing long-range planning needs and has virtually precluded the Director's ability to focus on the development of desired changes in process and procedure, either through the identification of cumbersome, vague, or antiquated regulations or through the evaluation of day-to-day operations. It has also led to the need in recent years to hire outside consultants to assist in undertaking key projects.

In order to free the Planning Director to pursue the activities most appropriate to his role, current planning projects and the day-to-day oversight of the processing component of the department should be shifted to a Senior Planner, who will act as the Current Planning Manager. The Director will still provide the needed guidance and policy interpretation, but will not carry a workload of projects or be involved in every application that is filed. Related to this change in responsibility is the planned departure of the current Planning Director, who has indicated that he plans to leave the Town's employ no later than June 30th. He has committed to the completion of several projects with which he has been intimately involved. The shift of day-to-day current planning management to the incumbent Associate Planner has already begun, as a first step in implementing a total change. To fully implement this organizational realignment, it is recommended that the Town Council approve the following two items:

1. Reclassify the Associate Planner position to a Senior Planner to acknowledge the additional responsibilities assigned. Estimated cost: \$15,000 annually. Timeline: February 2001.

2. In order to ensure that there is an adequate recruitment effort for a new Planning Director, provide funds (if needed) for an overlap between the current director and the new director. If the recruitment process is begun fairly soon and is effective, it is possible that an overlap of one or two months may result. The first step in the recruitment process will be the evaluation of the competitiveness of the Town's existing salary structure for the Planning Director position. If an adjustment is needed, that will be recommended to the Town Council in the near future. Estimated cost: \$16,000 on a one-time basis for overlap; ongoing salary adjustment to be determined. Timeline: Begin recruitment immediately, targeting late April, early May for completion of recruitment effort.

The management of the "intake" point of the Planning Department is another critical aspect of improving service and responsiveness. As is described in Mr. Kaplan's report, the counter is the first point of contact for most customers. It is primarily staffed by three Permit Technicians. As a part of a process change described later in this report (called "Adopt-a-Project"), more accountability and authority will be delegated to the counter staff. One of the three Permit Technicians will be

assigned the responsibility to manage the counter activities, assign projects to specific staff, and ensure the success of Adopt-a-Project. In order to recognize the added responsibility for this work, one of the Permit Technician positions should be upgraded to a supervising capacity, or counter manager. This will require Town Council approval:

3. Reclassify one of the Permit Technician positions to Counter Manager, adjusting salary to reflect the added supervisory responsibility. Estimated cost: \$10,000 annually. Timeline: February 2001.

The Town has long used consultants and outside firms to perform some of the Town's day-to-day work. In some cases, this has been done to provide a balance of "workers" to workload when there are fluctuations in demand. In other cases, it has been done because of a long-standing desire to minimize the number of authorized Town staff positions. In fact, through this process situations have been created that are a part of the "problem" within the Planning Department. An outside firm is utilized to augment in-house building inspection and plan checking resources. This is a difficult area to manage and the Town receives a variety of complaints about the services. For example, different plan checkers are often assigned by the firm to the first and subsequent reviews of the same set of plans, often leading to brand new punch list comments upon second and later plan checks, or to inconsistent requirements between checkers. Because the Town does not control the assignment of contractual staff, it is in the position of having several different individuals, with differing approaches and interpretations, assigned to do building inspections and plan checking. Although the actions of these contract staff members can be appealed to the Town, the Town does not necessarily have control where it is most needed - at the point that service is provided. During the last three years, the Town has an average of \$104,000 a year for these services, which are provided on a part-time basis. Despite the Town Council's possible reluctance to add a staff position, both Mr. Kaplan and the Town Manager believe that creating a new position, paid for by the funds that are now spent on outside consultants, is in the Town's best interests and will provide an opportunity to positively modify how an important part of the Town's development-related business is done.

The new position would be a plan checker/building inspector and would report to the Town's Deputy Building Official, ensuring collaboration and conformity of code interpretation. The addition of this position will enable the Town to implement one of the key procedural changes that has been identified. Sufficient staff resources and technical competency would be available to increase the hours during which building code consultation is available. Additionally, the Town could institute the practice of over-the-counter permit issuance for simpler permits. This practice would greatly enhance customer responsiveness and would provide for timelier permit issuance and smaller backlogs.

4. Add a new staff position, designated as Plan Checker/Building Inspector, to enhance counter services and permit issuance, to be supported within existing budget resources by reducing reliance on consultants and independent contractors. Estimated cost: none

⇒ Reorientation of the Department's Focus

One of Mr. Kaplan's findings is that, for several reasons, the focus of the Planning Department has been upon the process, rather than upon serving the customers' needs in a responsive and helpful manner. While it may not always be possible to give the customer everything he or she wants, how staff works with the customer and the way staff provides information and advice is very important. Unlike the private sector, the Town's customer may not always be right, if what he or she wants to do runs against the Town's codes or other regulating bodies' rules. Staff might have to say "no", but it should work with the applicant to try and identify ways to get to "yes". The process, in many cases, also incorporates the public review of the Planning Commission and/or the Architectural and Site Review Board. This adds time and delay to the project timeline. There are several things that Mr. Kaplan has recommended that can be done to reorient the focus of the department. The first group of these will involve the Town Council's approval, either through the allocation of resources or through the adoption of legislation:

5. Evaluate existing rules, regulations, and policy interpretations for relevance and effectiveness, identifying areas for Planning Commission/Town Council review and modification (legislation). Timeline: to Planning Commission by early summer.

6. Improve the "usability" of the various codes by reorganizing its sections, improving the index, and upgrading layout of text and tables (legislation). Timeline: After completion of preceding task.

7. Provide customer service training to provide tools for staff to use on a day-to-day basis (resources). Estimated cost: \$5,000. Timeline: Immediately and on an ongoing basis.

8. Review the roles and relationship of the Planning Commission and the A.S.R.B.; Identify possible code changes that would eliminate the need for the review by both bodies of certain projects (legislation). Timeline: to Planning Commission by early summer.

9. Review and develop recommendations for updating the Town's septic regulations and for streamlining and/or improving coordination of the septic system permit issuance process between the Town and the County (resources, legislation). Estimated cost: \$5,000. Timeline: to Town Council by June.

