



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: July 13, 2010

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: 559-624-7000

SUBJECT: Modification of the discretionary permit review process

REQUEST(S):

That the Board of Supervisors:

Concur with Resource Management Agency's re-organization of the discretionary permit processing procedures to include a pre-application process and the elimination of the Zoning Administrator and Site Plan Review Committee Hearings.

SUMMARY:

The Tulare County Resources Management Agency (RMA) is currently engaged in streamlining and simplifying the discretionary permit intake and processing procedures in order to have a more efficient system through the establishment of a pre-application process that would allow significant review and problem solving of projects at the very beginning of the process with the expectation that the processing of projects will be more efficient, and there will be less complications during public hearings. This will lead to an overall savings of time and money for both the applicants and RMA staff.

The proposal includes the elimination of the existing Zoning Administrator and Site Plan Review Committee Hearings and having all discretionary projects reviewed by the Planning Commission. The Planning Commission reviewed this request at their May 12, 2010 meeting and recommended approval. They mentioned that even

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though this will lead to a greater workload in number of projects coming to them for review, the projects themselves will have fewer complications and be easier to deal with.

The proposed pre-application process would be a weekly meeting, conducted by a representative from each department that participates in the development review process. Applicants would submit a simple application, several copies of a site plan, and pay a fee to cover the costs of the staff time spent on the initial review. Two to three weeks would be allowed for staff to conduct their review and prepare tentative conditions of approval.

A meeting with the department representatives would be held to sit down with each applicant scheduled for that day and have the opportunity to meet the applicants and their agents in person, discuss issues, suggest changes, and get questions answered. This face to face interaction would help both applicants and staff reach an understanding on important issues before proceeding with the project any further. The meeting would be followed up by a formal letter sent to the applicant stating the issues that were discussed at the meeting, a summary of proposed conditions of approval, and direction on how to proceed with the project from that point.

The applicants would then have sufficient information to decide if they would like to proceed with the commitment of time and expense required to complete the project before paying the formal application fees.

Much of this work takes place in the current project review process. However, it is usually only after the applicant has committed significant expense and many significant project issues are surfacing during public hearings or just prior to it.

It should be noted that although staff is proposing a new fee to handle the expenses of administering this new process, the savings in cost and time to the applicant will exceed the initial expense and staff considers this request to be a cost savings to the applicants over all. This process will lead to fewer projects being placed "on hold" and a cleaner and more efficient processing experience.

This procedure was shared with the following groups and received positive feedback:

- The local professional engineering association members
- Members of the Homesite Parcel Stakeholders Group
- Several Members of the Agricultural Advisory Committee
- Several staff members from the local Cities
- The Planning Commission

To further expedite the process, staff is recommending that Tentative Parcel Maps that are taken to the Planning Commission for review, be batched together into one review, and allowed to be pulled off of the agenda when needed. This would allow

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the majority of Parcel Maps to avoid the lengthy and repetitive process of being reviewed individually.

Some processes are minor enough that they would not need to go through the pre-application process. These could include:

- Lot Line Adjustments
- Minor Modifications
- Temporary Use Permits
- Other similar projects

To formalize this process, staff will return with a request to change the provisions of the Zoning and Subdivision Ordinances to reflect these proposed changes. Staff recommends that we initiate this process with certain development projects where the applicant is willing to participate, prior to formal adoption of the ordinance changes. This will allow staff to present the initial outcome of the program to the Board at the time the ordinance changes are being considered.

FISCAL IMPACT/FINANCING:

Staff would collect additional fees from project applicants for the review process. However, there would likely be less staff time spent on working through project issues during the formal review of the project. No significant change in cost to the applicant or county revenues is anticipated. There may be the positive fiscal impact of encouraging additional development by having a less cumbersome review process and therefore bringing in additional revenue to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The proposed pre-application process will directly meet the following Business Plan Goals:

1. "Establish effective communication mechanisms to ensure that employees and the public have clarity regarding RMA policies, procedures and priorities."
2. "...to provide a system of management that welcomes innovation and responds efficiently and effectively to public needs."
3. "...delivery of timely and cost effective services..."

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ALTERNATIVES:

1. The Board may decline staff's recommendation in favor of continuing with the existing processes.
2. The Board may postpone this action to a later date.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

The following SPRC member departments would have representation on the committee conducting the proposed pre-application process:

RMA – Planning
RMA – Engineering
RMA – Building
Fire Department
Health and Human Services Department

ADMINISTRATIVE SIGN-OFF:



Jake Raper Jr., AICP
Director

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

1. Analysis of Review Committee Responsibilities
2. Proposed Flow Chart

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF MODIFICATION)
OF THE DISCRETIONARY PERMIT) RESOLUTION NO. _____
REVIEW PROCESS) AGREEMENT NO. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Concurred with Resource Management Agency's re-organization of the discretionary permit processing procedures to include a pre-application process and the elimination of the Zoning Administrator and Site Plan Review Committee Hearings.

Attachment 1

Analysis of Review Committee Responsibilities

Current Duties				
Duty	ZA	SPRC	PC	BOS
Ministerial Actions	X			
Minor Mod's	X			
Temp Use Permits	X			
Parcel Maps		X		
Tract Maps			X	X
Lot Line Adj.	X			
Minor Use Permits	X			
Other Use Permits			X	
Variances	X			
Mining Permits	X			
Site Plan Review		X		
Gen Plan Amends				X
Zone Changes				X
Ordinance Amend				X

Proposed Duties				
Duty	ZA	SPRC	PC	BOS
Ministerial Actions	X			
Minor Mod's	X			
Temp Use Permits	X			
Parcel Maps			X	
Tract Maps			X	X
Lot Line Adj.	X			
Minor Use Permits			X	
Other Use Permits			X	
Variances			X	
Mining Permits			X	
Site Plan Review			X	
Gen Plan Amends				X
Zone Changes				X
Ordinance Amend				X



Attachment 2

Pre-Application Process Flow Chart

