



Office of the City Manager

WORKSESSION

June 27, 2017

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Timothy Burroughs, Interim Director, Planning and Development
 Subject: Improving Planning Department Customer Service

SUMMARY

Providing excellent, timely, and easily-accessible service and information to community members is a key priority of the Planning Department. In Fall 2016, in response to a variety of customer comments, City Council referrals, and issues identified by the City Auditor, the Planning Department contracted with Zucker Systems of San Diego to analyze its core operations through a customer service lens. Following extensive site visits and interviews, Zucker Systems presented a draft report, which included assessments of Planning Department services from customers and internal City stakeholders, and offered 152 recommendations for improvements. After a review and discussion phase, which overlapped with the department's recent leadership transition, Zucker Systems issued its final report to Planning in May 2017. That report is included here as ***Attachment 1***.

This Worksession report and presentation provides an overview of recommendations for improving the Planning Department customer service experience. A proposed timeline for implementing the Phase I priority recommendations over a twelve month period is included as ***Attachment 2*** to this report.

CURRENT SITUATION AND ITS EFFECTS**ZUCKER SYSTEMS REPORT**

The Planning Department hired Zucker Systems in order to improve customer service to the Berkeley community. The Zucker Systems organization has provided consulting and training services to municipal Planning and Building departments for 35 years. Berkeley chose Zucker Systems on recommendations from other Bay Area jurisdictions, in particular on the strength of Zucker's consultant team, each of whom has many years of direct experience managing city planning and building functions.

Zucker Systems employs a methodology it has honed over its years of experience evaluating planning and building functions, designed to identify issues in department practice and customer perception through a broad range of surveying and observation

techniques. For its review of Berkeley's systems, Zucker analyzed existing electronic permit records (both the legacy FUND\$ system and the newly launched Accela system), interviewed City staff at all levels in multiple departments, conducted detailed written surveys of clients, and convened a focus group of clients who have experienced Berkeley's development and permitting processes on multiple occasions. Zucker Systems also interviewed the chairs of the Zoning Adjustments Board (ZAB) and Design Review Committee (DRC), the Deputy City Manager, and made extensive direct observations of the functions of the Permit Service Center (PSC) during its work in Berkeley.

Zucker's analysis extended to all parts of the Building Permits and Development Application processes (i.e. the Building + Safety and Land Use Planning divisions), but did not assess the work of the department's Toxics Management and Energy + Sustainable Development functions.

This Worksession report focuses on those issues and recommendations which are identified as first tier priorities, and proposes a phase one implementation timeline of 12 months. The recommendations which were selected for the first phase are those which staff deemed within the capacity of the department to implement and which respect Berkeley's values. After the phase one implementation, Planning proposes to assess the progress and begin work on implementing the remaining recommendations in subsequent phases.

The final Zucker report (**Attachment 1**) extends for more than 250 pages, with multiple appendices, and makes 152 separate recommendations. The following are excerpts from the report's summary and background sections, highlighting the department's key strengths and areas for improvement:

Department Strengths:

The Zucker report found much to admire about Berkeley's Building and Land Use divisions, including:

- All building permit plans are received electronically;
- Impressive educational background of many of the staff;
- A sophisticated Enterprise Fund;
- New office space and permit center;
- A centralized Permit Service Center to receive applications for a variety of permits including Planning, Building, and Public Works;
- Appointments can be made for all services by telephone or at the Department's "Welcome Desk;" and

- Plan review is done with digital plans to allow for simultaneous review by all required departments/divisions.

Areas to Improve:

- Permit Timelines: Berkeley's are significantly longer than most other jurisdictions, and timeline expectations are not well communicated to clients.
- Processes: Multiple boards and commissions add cost and lengthen time for the review and approval of applications. Clarifying and simplifying criteria for Administrative Use permits (AUPs), and revisions to the Zoning Ordinance could improve this dynamic.
- Technology: The Accela permitting software system needs to be better configured, staff require more and continuous training, and other City departments and divisions should more fully adopt the new protocols.
- Finances: Well-managed Enterprise Funds should aspire to maintaining a fund balance equivalent to one year of expenditures, to manage the regular fluctuations of building cycles. The current projected fund balance at the end of FY17 equates to 30% of the last year's expenditures. The projected balance for the end of FY 18 would equate to 24%.
- Strategy: Implementing recommendations to positively impact the customer service experience of Berkeley clients will require a comprehensive operational strategy.
- Management: Policies, procedures, and local code interpretations should be captured in manuals and publications, to help achieve consistency in the information provided by staff and the expectations created among customers.

The Zucker systems report also observed that Berkeley's processes are in many ways reflective of the values the city has chosen to prioritize, including transparency and public review during the application process, and achieving sustainability and community benefits goals at a project's completion. While lauding the demonstrated commitment to such values, Zucker also points out that such processes will by their nature tend to make project approval timelines lengthier than those in most other cities.

FIRST TIER RECOMMENDATIONS OVER NEXT 12 MONTHS

The Planning Department convened an internal working group to review the draft Zucker recommendations and to develop a proposed work plan for implementation. The work plan includes recommendations which were deemed most immediately important, were practical and achievable, and which were within the capacity of Planning to implement within its resources (and without significant resources from other City departments). The working group honed the original 152 recommendations from Zucker

Systems down to a set of 32 first tier recommendations, with rough implementation timelines and estimates of staff time required (expressed in FTEs/month which would need to be reassigned from other duties). The outline of this proposed implementation workplan is included as **Attachment 2** to this report.

Taken in total, these recommendations are meant to help provide Berkeley customers with a clear understanding of the approval processes and expected timelines, and to better position staff to deliver on those timelines. Revisions will be made to the Zoning Ordinance to add clarity for customers and staff, written materials will be revamped for ease of understanding and relevance, and manuals and training on City policies, procedures, and code interpretations will be prioritized to achieve consistency of practice at all staff levels. Improvements to configuration and training on the Accela permitting software will be prioritized to ensure the technology is being used to its highest abilities.

In short, successful implementation of the first tier recommendations will provide customers with a much clearer path to understanding the project approval process and timeline, and will better position staff to meet those expectations.

The following are the 32 recommendations Planning proposes to implement over the next 12 months, grouped into topic areas:

Job Descriptions and Roles:

- Staff Directory: Create a directory listing all staff roles, embedded into a new Organization Chart. *Facilitates internal communication within Planning and between City departments.*
- PSC Management: Have PSC Coordinator focus on management tasks and not take on direct PSC counter duties. *Addresses staffing challenges with more analysis and long-term solutions, rather than only immediate stop-gap responses.*
- Zoning Interpretation: Designate a single Zoning Administrator. *Will make Zoning interpretations consistent for all customers regardless of which Planner answers their questions.*
- Land Use Management: Assign two Principle Planners to management tasks rather than specific projects. *Focus on developing staff skills and consistency of practice to improve overall Land Use functioning for customers.*
- Assess Staff Resources: Conduct detailed analysis to assess available resources. *Prerequisite to allow new baseline expectations of application processing times to be established.*

Establish and Report on Performance Standards:

- Performance Standards: Set performance standards for every staff position; use in frequent one-on-one check-ins. *Meaningful and regular performance criteria help create shared management and staff expectations for work quality and quantity.*
- Plan Check Times: Provide accurate plan check time estimates, and prominently post them for all clients. *Provide customers with reliable application review time expectations and promote accountability of staff to those timelines.*
- PSC Performance: Establish PSC-wide performance standards. *Set goals for each customer service increment—counter visits, phone calls, plan intake and review, etc.—and evaluate PSC performance by those standards.*
- Customer Time Spent: Use Nemo-Q (or alternate) to reliably measure customer time spent on every PSC visit. *Measure time customer spent on each PSC visit, so adequate staff resources can be assessed and directed to minimize customer wait times.*
- Land Use Performance: Set performance standards for all LUP reviews. *Set and monitor timelines for functions in staff's control, decreasing the time during which applicants must wait for staff responses.*

Practices:

- Customer Feedback: Inform staff of results from all customer survey results, good and bad. *Sharing all customer feedback avoids tendency to focus only on negatives or immediate crises, and promotes staff improvement.*
- Timely Communication: Return all phone calls and emails within 24/48 hours. *Customers perceive promptness in responses as a key indicator of service quality.*
- Plan Check Backlog: Work to reduce plan check backlog, then set reliable baselines. *A concerted effort to catch up on lagging plan checks allows new performance timeline expectations to be set, monitored, and achieved for customers.*
- Minor Plan Reviews: Assign to PSC Plans Examiner. *Provides faster review for clients with simple projects, and assigns more complicated reviews to the best qualified staff.*
- 30-day Review compliance: Complete routine 30-day reviews earlier than very end of allowable timeline. *Demonstrates to customers that department is committed to responses as quickly as feasible rather than merely within statutory requirements.*
- AUP timelines: Reduce AUP process timelines significantly; meet new goals 90% of the time. *Using Accela and internal process mapping, adapts existing Planning resources to completing AUPs more quickly, and monitors and reports performance for customers to see positive results.*
- Sign/Awning Reviews: Reduce sign/awning reviews by 10 working days. *Provide tangible improvement to customer concerns about lengthy process.*

- Staff-level Design Review: Reduce staff design reviews by 15 working days. *Provide tangible improvement to customer concerns about lengthy process.*

Submittals:

- Minimum Application Submittals: Update minimum submittal checklist for Building + Safety applications. *Provide customers with clear understanding of what applications must include, so they can submit without undue time spent or unnecessary visits.*
- Minimum Application Submittals: Update minimum submittal checklist for Land Use applications. *Provide customers with clear understanding of what applications must include, so they can submit without undue time spent or unnecessary visits.*
- Require Complete Applications: Accept only complete applications (per updated submittal checklist) for Building + Safety. *Once expectations are clearly set, allows staff resources to focus on customers who have submitted complete applications rather than those who have not.*
- Require Complete Applications: Accept only complete applications (per updated submittal checklist) for Land Use. *Once expectations are clearly set, allows staff resources to focus on customers who have submitted complete applications rather than those who have not.*

Written Materials:

- Customer Handouts: Revise/update all PSC handouts to be more clear and germane, and make them easily available. *Provide customers with clear and accessible resources to learn about specific building permit application requirements for themselves.*
- Customer Handouts: Revise/update all Land Use handouts to be more clear and germane, and make them easily available. *Provide customers with clear and accessible resources to learn about specific Land Use application requirements for themselves.*
- Building Code interpretations: Improve training on Building Code interpretations for all inspectors and PSC staff, to ensure consistency of application. *Standardizes local building code interpretation practices so that all customers get the same answers from every plans examiner and inspector.*
- Land Use Manuals: Create manual of policies, procedures, and interpretations for all Land Use staff. *Makes clearer to both staff and customers how each step of an application review process should occur, and promotes consistency of practices among all Planners.*

Zoning Ordinance:

- Consultant: Guide consultant on priorities for simplification of the Zoning Ordinance. *Unwinds layers of complexity in ZO from numerous changes over*

time, to resolve conflicting standards and to provide clear guidelines for customers.

- AUPs: Clarify criteria for granting AUPs for consistency. *Making criteria more specific and clear helps address current lack of consistency experienced by customers in AUP decision-making.*

Other:

- Implementation Plan: Agree with City Manager on Customer Service implementation plan. *Ensures top-level City commitment to customer service priorities, including improved timelines and proper resource allocation.*
- Land Use Workplan: Create Annual Land Use Division workplan, including resources needed for customer service improvements and Council referral responses. *Allows Division to strategically plan how to best use existing resources for highest priorities.*
- Accela training: Formalize Accela user training program and make it ongoing. *Accela's potential for tracking and improving the customer experience will only be fully realized once regular training is prioritized.*
- Accela for Land Use: Require use of Accela by Land Use/Projects staff for coordination and record keeping. *Eliminating use of redundant legacy systems will free up staff resources for customer priorities, and allow centralized customer application histories to be tracked for improved performance.*

The implementation phasing shown in **Attachment 2** was crafted to balance the staff resources required over time. Generally speaking, the work plan assumes that most of one staff person's time in the Director's Office will be dedicated to coordinating implementation of the customer service improvements. The work plan will also require time from division-level staff to assess the requirements for each recommendation, then the work to implement them, including time needed for training groups of staff in new procedures and expectations.

Some of the recommendations have already been implemented, and others have begun, in the interest of creating momentum for this department-wide effort. Notably, some of the key assignments of management staff time called for by Zucker have been put into place.

Over the long term, both Planning staff and the Zucker Systems consultants believe that the efficiencies achieved through the customer service improvements will more than compensate for the staff time resources allocated to reach that point. However, since Planning does not propose to add any new staff to directly implement these recommendations, over the short term there will remain competition for the finite staff resources available.

Planning also endorses the other recommendations made by Zucker Systems. The prioritization the 32 first tier recommendations shown above is not meant to diminish the

value of the other 120, which Planning would propose to implement in the second phase, starting in the latter half of 2018. Many of those recommendations go beyond the work of Planning staff only, and would require additional coordination and resource allocation from other City departments like Human Resources, Information Technology, Finance, Public Works, and Fire. Planning would work with the City Manager to convene managers in all relevant departments to strategize ways to secure the needed resources without overly burdening the core functions of those entities.

PLANNING DEPARTMENT RESOURCES

The Planning and Development Department comprises 88.54 Full-Time Equivalent (FTE) staff positions across five divisions, most of which are funded through fees for permit and development services collected in Permit Service Center Enterprise Fund 833. Per state law, fee revenues may only be used for the costs of the services provided, and any excess revenues received may only be used for the same purposes for which the fees were levied.

Planning fiscal staff estimate that Fund 833 will end FY 2017 with a positive cumulative fund balance of roughly \$5.5 million, down significantly from the \$11.5 million balance at the end of FY 2016, in large part from expenses related to the build-out of 1947 Center Street for Planning's office relocation. Substantial year-to-year fluctuations in building and development fee revenues are characteristic of municipal planning and development funds, as they reflect the cyclical nature of the construction industry. For comparison, the annual Fund 833 balance has been negative (expenses exceeding revenues) in 14 of the 21 years the City of Berkeley has maintained that Fund.

BACKGROUND

Previous reports and referrals which helped the Planning department craft the scope of the Zucker Systems review included:

- City Auditor's report from March 25, 2014, entitled "Construction Permits – Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service," available at
http://www.cityofberkeley.info/Clerk/City_Council/2014/03_Mar/Documents/2014-03-25_Item_27_Audit_Construction_Permits.aspx
- Planning staff report from January 26, 2016 recommending a process to change the Zoning Ordinance for clarity, consistency and improved customer service, available at
http://www.cityofberkeley.info/Clerk/City_Council/2014/03_Mar/Documents/2014-03-25_Item_27_Audit_Construction_Permits.aspx
- Referral from the City Council on July 19, 2016, authored by then-Councilmember Arreguin, recommending additional customer service

enhancements to operations of the Permit Service Center, available at [http://records.cityofberkeley.info/Agenda/Documents/ViewDocument/7_19_2016%3B%20CLK%20-%20Report%20\(Public\)%3B%20DISTRICT%204%3B%20%3B%20REGULAR%3B%20PERMIT%20SERVIC.pdf?meetingId=193&documentType=Agenda&itemIndex=2548&publishId=7261&isSection=false](http://records.cityofberkeley.info/Agenda/Documents/ViewDocument/7_19_2016%3B%20CLK%20-%20Report%20(Public)%3B%20DISTRICT%204%3B%20%3B%20REGULAR%3B%20PERMIT%20SERVIC.pdf?meetingId=193&documentType=Agenda&itemIndex=2548&publishId=7261&isSection=false)

ENVIRONMENTAL SUSTAINABILITY

There are no direct impacts to Environmental Sustainability which have been identified in this Worksession report. Indirectly, improved efficiency in the building permit and land use application processes, including greater migration to all-electronic plan reviews by multiple City departments, will make a positive contribution to achieving Berkeley's sustainability goals.

POSSIBLE FUTURE ACTION

- A number of the process changes recommended by Zucker Systems, including clarified criteria for AUPs and a range of recommended Zoning Ordinance revisions, would require consideration by the Planning Commission and approval from the City Council.
- A comprehensive fee study to recalibrate all Planning and Development Department fees, as recommended by Zucker Systems and previously discussed at Council, would require a consultant contract allocation.
- Steps to create a stable reserve balance in the PSC Enterprise Fund 833, possibly including reimbursement for costs incurred by the 1947 Center Street improvements and General Fund investment in Land Use Policy development, would also require future City Council action.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Revisions to the Zoning Ordinance would have minimal financial impact beyond staff time and previously allocated consultant costs. A comprehensive Planning fee study would require consultant expenditures of several hundred thousand dollars. Changes to Fund 833 as briefly summarized above would have a potentially significant fiscal impacts, depending on the targeted reserve level and any new General Fund allocations.

CONTACT PERSONS

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Attachments

- 1: Final Customer Service Assessment from Zucker Systems
- 2: Timeline for First Priority Recommendations

Assessment of Planning Department's Land Use Planning Division, Permit Service Center, and Building Plan Check

Berkeley, California

By

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I. EXECUTIVE SUMMARY

A. BACKGROUND

This study was initiated by the Director of the Planning and Development Department.

B. OVERVIEW – THE BERKELEY WAY

We have consulted with over 170 planning and building departments in 32 states plus Canada and the Caribbean. This has led us to develop what we consider Best Practices for these functions. However, each community is unique and all the Best Practices do not fit every community or situation. Berkeley has always been a unique community and has been working to keep it as one of the most desirable cities in the country. To do this, over time, for planning and development, the City has developed what we and others frequently call “The Berkeley Way.”

In completing this analysis, we have tried to understand the Berkeley Way and develop recommendations that can work in that context. This would include emphases on environmental sustainability, social equity, neighborhood protection, local business interests, high quality design, historic preservation, and housing needs. However, the current processes take so long and are so confusing that they work against these goals. The big companies and large developers can manage to work this system, but the process should work for everyone.

C. KEY PRIORITY AREAS

This report includes 152 recommendations for improving some of the functions and processes related to planning and development in Berkeley. While all the recommendations are important, we believe there are six key areas or groupings that need the highest priority as follows:

1. PERMIT TIMELINES

Findings

Berkeley’s timelines to process most applications are much longer than we have seen in most of the other jurisdictions we have studied. Some of the long timelines may relate to the specific processes Berkeley has created to meet the city’s goals for development. However, it should be possible to reduce timelines and still be consistent with and honor Berkeley’s desires to be a unique community. Long timelines heavily impact homeowners who simply want to improve their property and

small businesses that want to improve or expand. Given increased cost to develop, long timelines may actually work to reduce the quality of development.

Recommendations

This report includes specific recommendations for new timelines including recommendations:

- New timelines for Building Permit plan check (Recommendation 42) and share these with applicants (Recommendation 30);
- New timelines for the Permit Service Center including reducing customer wait times to 15 minutes (Recommendation 42);
- In order to meet timelines, the current permit backlogs will need to be eliminated (Recommendation 49);
- Provide expedited approaches for all processes (Recommendations 89 and 104);
- Set specific performance standards for all Land Use applications (Recommendation 93), including for AUPs (Recommendation 103), sign/awning design reviews in 10 days (Recommendation 110), staff design reviews in 15 days (Recommendation 111);
- Complete Zoning Certificates for business licenses in one day (Recommendation 96); and
- Process Landmark applications in seven weeks (Recommendation 120) and Use Permits as shown in the report (Recommendation 121).

2. PROCESSES

Findings

The national Best Practice approaches for development and permitting processes is to reduce the number of boards and commissions and empower staff to make decisions at lower levels in the organization. Berkeley has gone in a different direction with four boards and commissions (Planning Commission, Zoning Adjustment Board, Landmarks Commission, and Design Review Committee), often requiring that decisions be made by more than one of these bodies. It is not clear that the net result of this approach is creating a better Berkeley. What is clear is that it has lengthened the timelines and created confusion for citizens and applicants resulting in higher development costs. In order to be "customer friendly," staff tends to accept incomplete applications. However, this actually adds not only to overall timelines but the City's cost to process applications.

Recommendations

Our goal in making these recommendations is to respect Berkley's way while at the same time simplifying processes. Specific suggestions include:

- Accepting only complete applications (Recommendation 66 and 85);
- Clarifying the criteria for granting Administrative Use Permits (Recommendation 100) along with a variety of changes to the AUP process (Recommendation 102); and
- Creating a list of possible Zoning Ordinance changes to be considered by the recently selected Zoning Ordinance consultant (Recommendations 78 and 101).

3. TECHNOLOGY

Findings

The national trend and Best Practices is to move all applications and processes to the Internet. This reduces costs for both the applicants and the City and eliminates the extreme waste of paper with large rolls of plans. Berkeley had begun this process and purchased a permitting system, Accela, that can be used for this purpose. However, the installation of Accela has been slow and is only partially completed. As currently installed, some of the processes have actually become slower than previously. Some staff and functions have resisted moving to the new system. In spite of these initial issues, the City is moving to create this Best Practice system.

Recommendations

- Digitize all new and archived plans and documents (Recommendation 47);
- Complete automation of the Business License program (Recommendation 60);
- Develop a good digital plan review program (Recommendations 61 and 137);
- Use the Accela system for the routing of all plans (Recommendation 62);
- Expand the use of Accela to the Fire Department and Public Works Departments (Recommendations 63, 64, 69, and 70);
- Assign an experienced systems analyst to work continuously with the Planning and Development Department (Recommendation 134); and
- Numerous other technology recommendations including Recommendations 128, 129, 131, 133, 135, 137, 140, 142, 143, and 148.

4. FINANCES

Findings

Berkeley's finance system for the planning and development processes is one of the most sophisticated we have seen in our many studies and is a Best Practice. The functions are funded using an Enterprise Fund that not only includes the Planning and Development Department, but also related functions from Fire and Public Works. Good enterprise systems include a substantial reserve account or rainy day fund for times when development activity is in a down cycle. For FY14 and 15 the Fund was running a surplus at roughly \$5 million a year. It built to a reserve of \$12 million by the end of FY15 which was roughly equal to the expenditure level. This matched our rule of thumb that the reserve should be equal to annual expenditures.

However, for FY16 the Fund ended with a shortfall of \$1.4 million lowering the reserve to roughly \$11 million, which was only 68% of expenditures. The situation became worse with a shortfall deficit of \$6 million resulting in a reserve of \$5, million which would be only 27% of expenditures. Part of the problem was that the \$5.2 million required for the new office space was taken out of the fund. Most communities would finance this extensive remodeling out of a construction fund.

Recommendations

If Berkeley is to continue using the Enterprise Fund for the planning and development activities, a series of actions may be necessary including:

- Updating the fee study with likely increases in fees (Recommendation 16);
- Reimbursing the Enterprise Fund for the \$5.2 million of office remodeling charges (Recommendation 17); and
- Developing an overall strategy for use and management of the Enterprise Fund (Recommendations 18, 19, and 20).

5. STRATEGY

Findings

There are numerous issues impacting the Planning and Development Department. Critical issues include reducing processing timelines, stabilizing the Enterprise Fund, completing the modernization of the technology support systems, and changing development processes. There has also been a high turnover in the planner positions.

Recommendations

The Planning and Development Department should develop and operational strategy addressing all the issue identified in this report (Recommendation 25).

6. MANAGEMENT ISSUES

Findings

The Planning and Development Department and related agencies have an impressive cadre of well-educated and experienced staff. However, as we see in many similar departments, many staff have great expertise in the content issues but are less experienced as managers. There is a major need for policy and procedure manuals as well as an interpretation manual.

Recommendations

- The Permit Service Center Coordinator should focus on management issues (Recommendation 39);
- The Department should develop policy and procedures manuals (Recommendation 45);
- An interpretation manual should be developed for the Zoning Ordinance (Recommendation 46);
- The reporting relations for Public Works staff in the Permit Service Center should be clarified (Recommendation 68);
- A Zoning Administrator should be designated for interpretation of the Zoning Ordinance (Recommendation 80);
- Project managers/case managers should be used in the Land Use Projects section (Recommendation 92);
- The hiring process needs to be streamlined (Recommendation 22);
- A detailed staffing analysis needs to be completed (Recommendation 94);
- An emphasis should be made on use of outside consultants (Recommendation 51); and
- Two Principal Planners should be assigned to focus on management issues (Recommendation 83).

II. BACKGROUND AND PURPOSE

A. THE CONTRACT

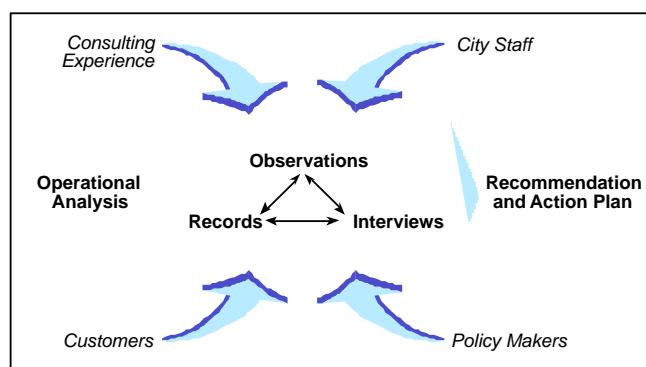
This study was initiated by the Director of the Planning and Development Department to perform an assessment of the Department's Land Use Planning Division, Permit Service Center, Building Plan Check and permitting technology.

Zucker Systems was selected for this work during July and August and a Personal Services Contract was completed with a notice to proceed on September 7, 2016.

B. BACKGROUND

Zucker Systems used a proprietary well-tested, integrated methodology for this study, as shown in Figure 1. We brought our extensive experience to the study, worked closely with staff, and solicited input and observations from customers and policy makers. The methodology is built on interrelating records, observations, and interviews. Each is necessary for valid studies. National research has shown that each one of these three—if relied upon exclusively—can be subject to substantial error. For example, record systems are often found to be as high as 50% in error, or the wrong things are measured. We used observations and interviews to verify records. Records and interviews were used to verify observations. Records and observations were used to verify interviews. Each group of people, shown in Figure 1, was an important part of the process.

Figure 1
Methodology Overview



Specific activities conducted for this study included:

- One customer focus groups of 13 people;
- An email survey to 1,330 customers;

- 36 City staff completed a short 38 Question survey;
- 34 City staff completed a confidential long survey consisting of 45 Questions;
- Observations of the Permit Service Center;
- Interviews with many staff and managers;
- Interviews with chairpersons of the Design Review Committee and the Zoning Adjustments Board;
- Interview with the Deputy City Manager;
- Zucker Systems staff worked in Berkeley September 22, and October 17 to 21.

C. FINDINGS AND RECOMMENDATIONS

This assessment found many exemplary features within the Planning and Development Department as well as several areas where improvement is possible.

Areas of Strength

- All building permit plans are received electronically;
- Impressive educational background of many of the staff;
- A sophisticated Enterprise Fund;
- New office space and permit center;
- A centralized Permit Service Center to receive applications for a variety of permits including Planning, Building, and Public Works;
- Appointments can be made for all services by telephone or at the Department's "Welcome Desk;" and
- Plan review is done with digital plans to allow for simultaneous review by all required departments/divisions.

Opportunities for Improvement

Problem areas and opportunities for improvement are described throughout this report. What we consider to be six key areas, or themes, were discussed in the Executive Summary, the first chapter in this report.

Table 1 summarizes the 152 recommendations and opportunities for improvement made throughout this study. To assist the reader, each summarized recommendation is cross-referenced to the page on which the supporting text appears. Although all of these recommendations are important, each was given a priority number in order to help the City with implementation. There are 63 priority number one

recommendations, 77 priority number two recommendations and 12 priority number three recommendations. We assume that existing staff will implement many of the recommendations and the cost, except for new staffing, generally should be absorbed through greater efficiency.

To further help the City and departments in implementation, we have also coded all the recommendations. "Phase One Actions" are recommendations, which we believe should be completed in the first nine months. "Phase Two Actions" we believe should be completed within 18 months.

There are 121 Phase One Action recommendations. Some of these are given priority 1, 2 or 3. However, that does not mean that only the priority 1 recommendations should be addressed. There are 31 Phase Two Action recommendations. The departments should develop a detailed implementation plan with time targets for these recommendations.

For each recommendation, we also indicate a responsible party for implementation.

While the above priorities and action schedules should help the City with its implementation plan, it is essential to initially focus on the six key priorities discussed in the Executive Summary.

Table 1
Table of Recommendations

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
1.	Agree on an implementation plan	Planning & Development Director and City Manager	16	1	X	
ISSUES FOR ALL FUNCTIONS						
Overview						
2.	Create a staff directory of roles	Planning & Development Director	19	2	X	
3.	Revise the handouts	Land Use Planning Manager	19	2	X	
4.	Create Internal newsletter	Planning & Development Director	19	2	X	
5.	IT to provide periodic up-dates on Accela improvements	IT Department	18	2	X	
Customer Service						
6.	Repeat customer survey bi-annually	Planning & Development Director	21	2		X
7.	Revise customer survey forms	Land Use Planning Manager	22	2	X	
8.	Survey forms available at all counters	Land Use Planning Manager	22	2	X	

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
9.	Send survey forms after project completion	Land Use Planning Manager	23	3		X
10.	Provide feedback to staff on survey results	Land Use Planning Manager	23	2	X	
11.	Set goal of 85% positive on survey forms	Land Use Planning Manager	23	2		X
Employee Performance Issues						
12.	Establish performance standards for all staff positions	Planning & Development Director	23	2	X	
13.	Employee evaluations to be timely and useful	Planning & Development Director	23	2	X	
14.	Provide periodic evaluation of staff performance	Planning & Development Director	24	2		X
15.	Use employee evaluation results for training sessions	Planning & Development Director	24	2		X
Finance Issues						
16.	Up-date fee study	Planning & Development Director	25	1	X	
17.	Reimburse Fund 833 for office space and zoning ordinance	City Council	27	1	X	
18.	Develop revenue strategy for Fund 833	Planning & Development Director and Finance Department	27	1	X	
19.	Increase Fund 833 Fund balance	Planning & Development Director and Finance Department	29	1		X
20.	Examine Long-Range Planning budget re Fund 833	Principal Planner, Policy	29	1		X
Hiring						
21.	Fill positions prior to departure of incumbent	Human Resource Department	23	2		X
22.	Streamline hiring process	Human Resource Department	30	1	X	
23.	Implement cross-training programs	Planning & Development Director	30	2		X
24.	Use temporary out-of-class appointments as needed during vacancies	Human Resource Department	30	2	X	
Strategy						
25.	Prepare an Operational Strategy for the Planning and Development Department	Planning & Development Director	31	1	X	
Telephone and Emails						
26.	Return all phone calls and emails the same day received	Planning & Development Director and related departments	32	1	X	
Website						
27.	Make certain website information is accurate at all times	Planning & Development Director	32	2	X	
28.	Publish website guidelines	City Manager	32	2	X	
BUILDING AND SAFETY DIVISION						
Organization Issues						

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
29.	Provide accurate estimates of plan check times	Building Official	39	1	X	
30.	Post plan check times	Building Official	40	2	X	
31.	Monitor front counter staff	Permit Service Center Coordinator	40	1	X	
32.	Explain to customers any delay in service	Permit Service Center Coordinator	40	2	X	
33.	Staff to perform other tasks while computers are loading data	Permit Service Center Coordinator	40	3	X	
CONSULTANTS PERFORMANCE						
34.	Audit work of outside plan review consultants	Building Official	41	1	X	
JOB DESCRIPTIONS						
35.	Complete review of Building Division job descriptions	Building Official	42	2	X	
36.	Use Certified Permit Technicians for front counter	Building Official	42	2		X
Management						
37.	Assign more supervisor duties to Senior Building Plans Examiner	Building Official	43	2	X	
38.	Add resources until Accela issues are resolved	Planning Director	43	2	X	
39.	Permit Service Center Coordinator to focus on management issues	Permit Service Center Coordinator	44	1	X	
40.	Work of PSC substitute to be audited	Building Official	44	3		X
41.	Assign work on staff qualifications and distribution of work	Supervisor of Plan Check Section	44	2	X	
Performance Standards						
42.	Adopt new plan check performance standards	Building Official	49	1	X	
43.	Adopt new Permit Service Center Performance Standards	Permit Service Center Coordinator	50	1	X	
44.	Use NEMO-Q or another customer wait time tracking system	Permit Service Center Coordinator	51	2	X	
Policies and Procedures						
45.	Develop policies and procedures manual	Permit Service Center Coordinator	51	1	X	
46.	Develop interpretations manual	Building Official	52	1	X	
Records Management						
47.	Digitize all new and archived plans and documents	Building Official	52	1		X
Staffing						
48.	Use workload tracking capabilities of Accela	Building Official	56	2	X	
49.	Work to reduce current plan check backlog	Building Official	56	1	X	
50.	Assign minor plan reviews to the PSC Plans Examiner	Building Official	56	2	X	
51.	Expand use of outside consultants	Building Official	57	1	X	
52.	Use activity tracking capabilities of Accela	Building Official	57	2		X

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
53.	Add temporary additional staff to Permit Service Center	Building Official	57	1	X	
54.	Backfill positions if Permit Center staff is reassigned to plan review	Building Official	57	2	X	
Training						
55.	Track required certificates for staff	Building Official	58	2		X
56.	Post staff certificates in lobby	Planning & Development Director	58	3		X
57.	Establish Code-specific technical experts	Building Official	59	2		X
58.	Monitor attendance at weekly training sessions	Building Official	59	3	X	
59.	Periodically attend meetings of regional Building Officials	Building Official	60	2	X	
Process Issues						
60.	Improve Business License program	Information Technology	60	1	X	
61.	Investigate digital plan review program	Building Official	61	1	X	
62.	Initiate Accela routing system	Permit Service Center Coordinator	61	1	X	
63.	Grant Fire Prevention Bureau Accela access	Building Official	62	1	X	
64.	Fire Marshal to use Accela to track and report	Fire Marshal	62	1	X	
65.	Update minimum submittal checklist	Building Official	63	2	X	
66.	Accept only complete plans	Building Official	63	1	X	
67.	Add charges for numerous resubmittals	Building Official	63	2	X	
Public Works						
68.	Clarify Public Works reporting arrangements for co-located staff	Building Official and Public Works Deputy Director	64	1	X	
69.	Public Works to be integrated into Accela system	Public Works	64	1	X	
70.	Public Works to use Accela to track and report	Public Works	65	1	X	
LAND USE PLANNING DIVISION – POLICY SECTION						
71.	Prepare to update General Plan	Land Use Planning Manager	69	2		X
72.	Reevaluate need to retype General Plan	Principal Planner	69	2	X	
73.	Move link for 2015 Housing Element to General Plan web page	Principal Planner	69	3	X	
74.	Set procedures to respond to City Council and Planning Commission mandates	City Manager	70	2	X	
75.	Track time spent on City Council mandates	Principal Planner	70	2	X	
76.	Brief staff on state legislative changes	City Attorney	70	2	X	
77.	Create Annual Work Plan	Land Use Planning Manager and Principal Planner	71	1	X	
Zoning						
78.	Work with zoning consultant to simplify code	Land Use Planning Manager and Principal Planners	72	1	X	

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
79.	Establish calendar for zoning ordinance updates	Land Use Planning Manager and Principal Planner	72	2	X	
80.	Designate Zoning Administrator position	Planning & Development Director	72	1	X	
LAND USE PLANNING DIVISION – PROJECTS SECTION						
Organization						
81.	Hire staff re: land use files.	Land Use Planning Manager	74	2	X	
82.	Appoint a non-rotating Acting Land Use Planning Manager	Planning & Development Director	75	2		
83.	Two Principal Planners to focus on management needs and not directly manage any projects	Land Use Planning Manager	75	1	X	
Key Issues and Recommendations Related to All Processes						
84.	Create policy and procedures manual	Land Use Planning Manager	76	1	X	
85.	Require complete applications	Land Use Planning Manager	81	1	X	
86.	Establish cut-off-dates for Boards and Commissions	Land Use Planning Manager	82	2		X
87.	Examine decision-making alternatives	Land Use Planning Manager	82	1	X	
88.	Provide computers or I-pads to Boards and Commissions	Land Use Planning Manager	82	2		X
89.	Provide Expedited processes for all Land Use Processes	Land Use Planning Manager	83	1	X	
90.	Create interpretation manual	Land Use Planning Manager	84	2	X	
91.	Eliminate multiple postings on site	Land Use Planning Manager	84	2	X	
92.	Use project manager/case manager system	Land Use Planning Manager	84	1	X	
93.	Set specific performance standards for all reviews	Land Use Planning Manager	85	1	X	
94.	Complete detailed staffing analysis	Planning & Development Director	86	1		X
95.	Complete 30-day reviews early in the process	Land Use Planning Manager	86	2	X	
Zoning Conformance Review (CZ)						
96.	Complete 90% of Zoning Certificates for business licenses in one day	Principal Planners	87	1	X	
97.	Request email address on Zoning Certificate Applications for Building Permits	Principal Planners	88	2	X	
98.	Convert Zoning Project Submittal handouts to several handouts	Principal Planners	88	2	X	
99.	Issue Zoning Certificates for projects only requiring a building permit in one day	Principal Planners	89	2	X	
Administrative Use Permits (AUPs)						
100.	Clarify criteria for granting Administrative Use Permits	Principal Planners	90	1	X	
101.	Create list of Ordinance changes for Zoning Ordinance consultant	Principal Planners	91	1	X	
102.	Change Administrative Use Permit process as outlined	Principal Planners	92	1	X	
103.	Revise the timeline performance standards for AUPs	Principal Planners	94	1	X	
104.	Make expedited process available for AUPs	Principal Planners	94	1	X	

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
Pre-Applications						
105.	Formalize attendance list for the Pre-Application meetings	Principal Planners	94	2	X	
106.	Hold pre-application meetings within 15 to 23 days of application receipt	Principal Planners	96	2	X	
Design Review Committee						
107.	Examine the qualifications for the Design Review Committee members	Planning & Development Director and City Council	97	2		X
108.	Add staff for the Design Review Process	Planning & Development Director	97	2	X	
109.	Design intern to report to the Associate Planner for design	Principal Planners	97	3	X	
110.	Reduce sign/awning design reviews by 10 working days	Principal Planners	99	1	X	
111.	Reduce staff design reviews by 15 working days	Principal Planners	100	1	X	
112.	Complete 30-day completion prior to first DRC meeting	Principal Planners	101	2	X	
113.	Post DRC cases as soon as the DRC meeting date is set	Principal Planners	101	3	X	
114.	Adopt more specific design guidelines and standards for review	Planning Architect and DRC	102	2		X
Landmarks Preservation Commission (LPC)						
115.	Adopt qualifications for Landmark Preservation Commission members	City Council	103	2		X
116.	Take pro-active action on Potential Initiations list	Landmark Preservation Commission	103	3		X
117.	Have one staff member with extensive expertise in historic preservation	Planning & Development Director	103	2	X	
118.	All planners working on Landmark issues to report to the same Principal Planner	Principal Planners	104	3	X	
119.	Allow some landmark action by staff	City Council and Landmark Preservation Commission	105	2		X
120.	Reduce timelines for applications to Landmarks Preservation Commission to seven weeks	Principal Planners	105	1	X	
Zoning Adjustments Board (ZAB)						
121.	Change timelines for Use Permits as shown in report	Principal Planners	108	1	X	
Appeals						
122.	Change appeal period for AUPs to 14 days	City Council and Planning & Development Director	110	2		X
123.	Examine appeal of Use Permits to City Council	Principal Planners	110	3		X
124.	Schedule appeal of ZAB cases to City Council within six weeks of action	City Council	110	2	X	
TECHNOLOGY						
125.	Maintain collaborative working relations between IT and P&D	Planning & Development Director and IT Director	116	1	X	
126.	Formalize Accela user training program	IT	116	1	X	
127.	Train applicants on use of online applications	Planning & Development Director and IT Director	116	2	X	

#	Recommendation	Responsibility	Page	Priority	Phase One Actions	Phase Two Actions
128.	Training program for Office 365 implementation	IT	117	2	X	
129.	Monitor reliability of network and adjust as necessary	IT	117	1	X	
130.	Configure future timekeeping system to track projects	IT	118	2		X
131.	Activate Accela event time tracking capabilities	IT	118	1	X	
132.	Implement voicemail speech-to-text	IT	118	2		X
133.	Increase email storage capacity	IT	119	1	X	
Permitting and Licensing System Software						
134.	Provide experienced systems analyst to work with PD	IT	123	1	X	
135.	Roll out the updated "thin client" Accela version 8.0	IT	123	1	X	
136.	Mandatory Accela training for all relevant new staff members	Planning & Development Director	123	2	X	
137.	Find permanent solution to electronic plan checking	IT	123	1	X	
138.	Complete implementation of Accela for Projects staff	Land Use Planning Manager	123	1	X	
139.	Large format monitor for Zoning Enforcement	Land Use Planning Manager	123	2	X	
140.	Establish full functionality of the Accela GIS interface	IT	123	1	X	
141.	Implement Accela Mobile Forms and Payments	IT	124	1	X	
142.	Consider advanced online Zoning Ordinance presentation system	Zoning Ordinance Consultant	125	2	X	
Electronic Document Management						
143.	Review access rights for DP network drive	IT	126	2	X	
144.	Consider OnBase document management software	Planning & Development Director and IT Director	126	2	X	
145.	IT document management to be compatible with Accela	IT	126	1	X	
Geographic Information System						
146.	Expand 311 App to include zoning map coverage	Planning & Development Director and IT Director	126	2	X	
147.	Assign high performance workstations to power users	IT	127	2	X	
Citizens						
148.	Clear linkage between PD's website and Accela features	IT	128	2		X
149.	Evaluate cloud-based Citizen Development Assistance	Planning & Development Director and IT Director	129	3		X
EMPLOYEE PERCEPTIONS						
150.	Hold group meeting to discuss Engineering issues	Public Works Director	133	2	X	
151.	Land Use Planning staff to discuss issues	Planning & Development Director	134	2	X	
152.	Close communication gaps	Building and Safety Manager and Permit Center Manager	135	2	X	

Before the City begins implementing this study, we suggest that it take the following action.

1. *Recommendation:* The City Manager and the Director of the Planning and Development Department should review the study and agree on an implementation plan, which should include:

- An agreed-upon timetable and work program; and
- Costs estimates and method of funding.

The Planning and Development Department already has many important tasks they are undertaking and may find the 152 recommendations overwhelming. However, as improvements take place and staff becomes empowered to change, the City may be surprised at how fast implementation can occur.

III. PROFILE

A. OVERVIEW

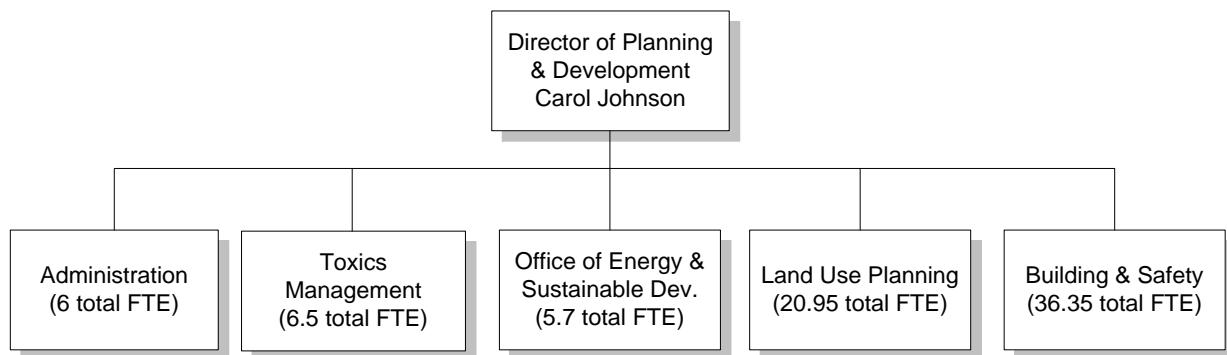
City

The citizens of Berkeley elect the Mayor at-large, and the eight other members of the City Council by district. Berkeley also elects its Rent Board, School Board, and the City Auditor on an at-large basis. A variety of Boards and Commissions are appointed by the City Council including the Zoning Board of Adjustment, the Landmarks Preservation Commission, and the Planning Commission. Some are advisory and some have quasi-judicial functions. There is also a Design Review Committee appointed by the Zoning Adjustments Board. The City Council appoints a City Manager who acts as a Chief Executive Officer and selects department directors who are confirmed by the City Council.

Planning and Development Department

The Department of Planning and Development is one of 11 City departments that report to the City Manager. The Department is organized into five divisions with 77.50 FTEs that report to the Planning and Development Director, as shown in Figure 2. This study has only reviewed the Land Use Planning Division (20.95 FTE), and two sections of the Building and Safety Division, the Plan Check Section (8.0 FTE), and the Permit Service Center Section (8.0 FTE).

Figure 2
Planning and Development Department Organization



IV. ISSUES FOR ALL FUNCTIONS

A. COMMUNICATION

Directory

With the staff turnover, need for training, and complex regulations, there is a need for a good directory of who does what, both inside the Department and in other departments as well. The directory would have phone numbers, email addresses, and a brief description of the specific role of each contact person. The directory should include organization charts that list specific functions for each person.

- 2. *Recommendation:* The Department should create a directory of roles of all staff working on the development process.**

Handouts

The Permit Service Center has numerous handouts; however, they are not well organized and can be difficult for customers to access. Titles are too small and are not well grouped by topic. Some handouts are out of date. Additionally, the Land Use Planning Division handouts are stored behind the public counter and only handed out by staff as they see appropriate. The reasoning seems to be that customers need more explanation before seeing the handout. This perspective misses several key points. First of all, different customers learn in different ways; some prefer to read material prior to or as part of working with the City. Secondly, if the materials are available on the Department's website, which they should be, staff is not available to describe them. If they are well written, they should be able to stand on their own.

- 3. *Recommendation:* Handouts should be well written, up-to-date, on clear display for the public, and readily available both at the Permit Service Center and on the website.**

Newsletter

Based on the employee surveys, it appears there is a serious lack of communication within and between divisions in the Planning and Development Department and related departments. Some communication takes place through emails and staff meetings, but there is no comprehensive system and staff has complained that they are often not informed. This can lead to providing external customers with out-of-date or wrong information.

One technique that we have seen successfully used in a variety of organizations is a weekly, bi-weekly or monthly internal newsletter. This collects all the information in one place rather than scattershotting information through various emails and other systems.

The Department should create an internal communication tool (*e.g.*, newsletter) that contains information about the status of ongoing initiatives within both the Department and the City. This tool can be of great benefit when the Department is undergoing significant changes such as the recent comprehensive office relocation, implementation of Accela, or the adoption and enforcement of new State mandated building codes. Information in this format can also be shared with upper management and City Council as a means of demonstrating how the Department has developed a plan for minimizing disruptions to the customers while these initiatives are being implemented.

4. *Recommendation:* The Department should create an internal newsletter to communicate to employees the status of ongoing major projects impacting the Department.

Once a week the IT Department installs updates to the Accela system in an effort to implement fixes to the existing program and/or to introduce an enhancement to the current process. Staff reports that, as a result of these changes to the program, they have frequently arrived at work faced with the need to implement a new procedure to regain the functionality they had previously used. Though some of these changes were undoubtedly necessary to improve overall functionality, the lack of communication between IT and the affected staff has resulted in staff frustration and lost productivity. We recommend the IT Department provide a brief summary of the changes they will be implementing to the system, including the anticipated benefit that such a change will have on operations. Such notification should also assist IT staff by giving the operations staff an opportunity to immediately test the new feature(s) and provide IT with immediate feedback about the benefits or problems related to the change.

5. *Recommendation:* IT staff should be directed to provide a brief summary of their proposed Accela System upgrades to Department Management prior to implementation so that staff can be prepared to adjust procedures as needed to respond. This data could be included in the department newsletter.

B. CUSTOMER SERVICE

Overview

The City Auditor in her March 25, 2014 report made the following observation concerning customer service:

"An underlying theme of our audit findings is that Planning's focus on customer service is to do what it takes to make the customer standing in front of them happy. Planning must address its customer service needs more systematically. That means evaluating program performance to understand the root causes for not meeting established performance goals and for long customer wait times, and ensuring that customers are assessed fees accurately, consistently, and equitable."

We very much agree with this suggestion, and addressing these system issues will be seen throughout this report.

Surveys

Customer surveys are routinely used by both public and private entities to solicit feedback from their customers on the quality of the services that are being provided. When properly designed, a survey can solicit important information that can be gathered in no other way. Frequently it is the customer that identifies the need for the jurisdiction to offer a new service or upgrade an existing service. Often the customer provides a recommendation because he or she has taken advantage of some service that was provided by another (competing) jurisdiction.

This report discusses a variety of customer service issues. The survey used for this study (shown in Appendix D) should be repeated at least bi-annually.

6. *Recommendation: A customer survey similar to the one used in this study should be repeated at least bi-annually.*

Counter Surveys.

Department management provided us with copies of some of the customer surveys to review prior to our onsite interviews. Our review indicated that customers were both very dissatisfied and generally happy with the services being provided. The format of the surveys requires customers to provide handwritten comments, though little guidance is provided to help them highlight the specific service being evaluated. Given the large number of mostly critical comments we received in response to our online customer service survey, it is apparent that the Department's current system for collecting customer satisfaction comments is insufficient to provide meaningful feedback. In addition, the opportunity to fill out and submit customer service surveys

should be available in several locations and formats, including at each counter and via the website.

- 7. *Recommendation:* The existing customer satisfaction survey forms should be revised to solicit more meaningful information.**
- 8. *Recommendation:* The Department should ensure that customer service surveys are available at every public counter and on the City's website.**

End of Project Surveys

In some progressive communities, we see staff mailing customer service surveys to permit customers after their projects have been completed. Some permit customers are reluctant to provide meaningful feedback while their projects are still being reviewed. Asking for feedback after the project has been completed can provide insightful comments about not only interactions with staff but, also, recommended changes to the process.

- 9. *Recommendation:* The Department should create a program to send customer service survey forms to permit holders after their project has been completed.**

Use of Surveys

The use of customer service surveys generates both positive and negative results. We frequently see management focus considerable attention on addressing negative comments and virtually ignoring the opportunities that positive comments can have on an organization when those comments are shared in the proper setting. Stories of employees providing extraordinary customer service can prove inspirational to others who are asked to work in a challenging environment. The Department needs to compile the information received through customer service surveys and share the results, both good and bad, with staff. The Department should strive to achieve a positive customer satisfaction rating at least 85% of the time.

- 10. *Recommendation:* Managers should make both negative and positive feedback gathered from customer service surveys available to all levels of the organization.**
- 11. *Recommendation:* Department managers should compile the results of customer surveys with the goal of achieving a satisfactory rating at least 85% of the time.**

C. EMPLOYEE PERFORMANCE ISSUES

Our interviews with staff and management suggest that overall employee performance is generally good but that some exceptions exist. Our experience has shown that the poor performance of only a few employees can have a dramatic impact on an organization's effectiveness. Organizations that have experienced this problem don't tend to identify a single immediate cause for this breakdown but rather an accumulation of failed efforts to adhere to basic management practices.

We believe employees are much more likely to perform as expected if they have clear guidance on what is expected of them and they receive appropriate feedback regarding their performance. The Planning and Development Department does not currently adhere to the management practice of providing periodic performance evaluations for all staff. In addition, there are currently no written performance standards for individual positions. Such standards would help employees understand both the quality and quantity of the work product they are expected to produce.

12. *Recommendation:* Management should work with staff to establish basic performance standards for all positions to ensure there is an agreement between supervisors and employees regarding acceptable employee performance.

We recognize that one of the main reasons organizations frequently fail to maintain a program of periodic employee performance evaluations is that many programs prove to be of little value to the employee or the organization. Recent studies have shown that the workforce of the future will be most effective when they have clear direction and immediate feedback on their performance. The idea that employee performance issues can be saved up and "dumped" on the employee once a year is an ineffective model. The Department should work with Human Resources to develop a method for evaluating employee performance that will create real value for both the organization and the employee.

13. *Recommendation:* The Department should implement a system of providing employees evaluations that provides both timely and useful information that adds value to the organization.

Following the establishment of employee performance standards, the Department should designate each section's supervisor or a designee to perform periodic audits to confirm compliance with the performance standards. Such audits would include both one-on-one observation of employee performance as well as independent reviews of the work performed by each employee. Particular attention should be given to closely monitoring the accuracy of the process of determining permit fees. Correcting these errors manually is of major importance to both the customer and the City. Observations from these audits should be used to provide useful feedback to

employees as well as help identify processes or interpretations that are being applied inconsistently between employees. These inconsistencies should become items for future discussion during weekly staff training sessions.

14. *Recommendation:* The Planning Director should direct each manager and supervisor to perform periodic audits of staff performance.

15. *Recommendation:* Inconsistent application of processes and/or interpretations observed during audits should be subjects of future training sessions.

D. FINANCE ISSUES

Billable Hours

For staffing analysis, it is generally useful to calculate employee billable hours as shown in Table 2. These numbers come from the Berkeley Collective Bargaining Agreements. Since few staff are productive 100% of the time and there is often slippage in calculating actual work tasks, we normally use 80% of net hours. For Berkeley, this results in 1,314 annual productive hours per employee. These numbers can be used for staffing analysis for Department managers.

Table 2
Berkeley Billable Hours Per Year

Topic	Days/hours	Annual Hours
Work hours per week	40	2,080
Holidays	13 days	104
Sick Leave	1 day per month of service, use 12 days	96
Vacations	2 to 6 weeks depending on longevity, Use 3 weeks	120
Bereavement	1 to 3 days, Use 1	8
Net Hours		1,752
Break Time	Two 15 min. per day	110
Second Net		1,642
80% productive Time		1,314

Budget and Revenues

The City uses a sophisticated three-year budget process with FY17 being the second year. The Fiscal Year runs from July 1st to June 30th. Budgets and expenditures are distributed under nine separate funds.

Of most interest for this study is the Permit Service Center Fund 833, which is an enterprise fund funded by fees. The Fund was created in 1996. The Fund covers eight categories for the Planning and Development Department. Additionally, nine categories are used for related departments. This is an excellent approach for funding development activities. The FY17 Adjusted Budget and projected FY 17 Revenues related to this fund are shown in Table 3. As can be seen, there is a budget of \$18,715,201 and projected revenue of \$12,479,588 or a shortfall of \$6,235,613. Revenues are often projected conservatively. We would estimate that actual revenue for FY17 is likely to be more like FY16 which was \$14,897,395. Other factors impacting the numbers include the one-time cost of \$5.2 million for the new office facilities, a budget of \$300,000 for Zoning Ordinance review, and evidently, a number of encumbrances.

Given the long processing timelines shown in other parts of this report, it is possible that there may be some staff shortages. Since this is an enterprise fund, it may be necessary to reduce costs or increase revenues in order to add staff. It would appear that some fees may be low in the Land Use function. The last major fee increase was in 2010. This was a sophisticated and detailed fee analysis that is six years old and should be repeated. Additionally, given the desire to improve service, additional consultants may be necessary for expediting.

16. Recommendation: The Planning and Development Department should examine the Land Use fees and increase as appropriate.

Table 3
Enterprise Fund #833 Budget and Revenues for FY17

Function	FY17 Budget, Adjusted	FY16 Actual Expenditures	FY16 Actual Revenue	FY17 Adjusted Revenues
Administration	\$1,055939	\$855,031		
Bldg Lease	\$558,176	\$531,036		
Building and Safety	\$5,122,406	\$4,981,919	\$10,219,246	\$9,179,365
Land Use	\$3,995,308	\$3,474,645	\$1,595,867	\$1,410,384
Pass-thru, Expedited	\$736,120	\$171,132	\$677,641	\$175,000
OESD (solar)	\$411,695	\$279,933	\$316,828	\$258,940

Function	FY17 Budget, Adjusted	FY16 Actual Expenditures	FY16 Actual Revenue	FY17 Adjusted Revenues
Permit Service Center	\$1,214,817	\$1,113,335		
Toxics	\$71,800	\$63,752	\$68,340	\$60,563
SUBTOTAL PLANNING AND DEVELOPMENT DEPARTMENT	\$13,166,261	\$11,470,783	\$12,877,922	\$11,084,252
City Manager – Code Enforcement	\$157,908	\$143,158		
Fire	\$322,558	\$299,450	\$380,717	\$231,525
HSG	\$5,248	\$5,406		
Human Resources	\$196,913	\$129,237		
Information Technology	\$636,090	\$418,863		
Public Works Engineering	\$3,725,213	\$2,820,444	\$1,183,896	\$891,811
Public Works Transportation	\$230,490	\$241,514	\$454,860	\$272,000
Optg Xfer out – fund 840	\$233,965	\$339,321		
Optg Xfer out – fund 890	\$50,555	\$50,555		
SUB TOTAL, RELATED DEPARTMENTS	\$5,558,940	\$4,447,948	\$2,019,473	\$1,395,336
GRAND TOTAL	\$18,715,201	\$16,280,760	\$14,897,395	\$12,479,588

Fund Balance

Since Fund #833 is an Enterprise Fund, the Fund balance is very important. The history of the Fund balance is shown in Table 4. For FY14, 15, and 16 the balance ranged from a low of \$7,370,384 to a high of \$12,617,224, for an annual average of \$10,407,155. However, the projected FY17 balance is estimated to fall to \$4,998,246, primarily due to the cost of the new office space. To analyze this further we made our own estimate for FY18, with the cost and revenues estimated as shown in Table 5. The assumptions we used for this analysis included:

- The same staffing levels as FY17 adjusted;
- Increasing staff salaries by 3%;

- Keeping non-staff expenditures the same as FY17 adjusted;
- Reducing Public Works to prior years; and
- Using FY16 actuals for revenues.

We then estimated a fund balance for FY18 using these numbers. However, we added in the \$5,200,000 office expenditure and the \$300,000 Zoning Ordinance analysis to the Beginning Fund Balance value. We suggest that both of these expenditures should have either come from the General Fund or some type of a construction fund. Using these numbers, we estimated the FY18 fund balance of \$9,576,626. The Planning and Development Department and City Finance Department should make their own estimates, which may be more accurate than we have shown. This can lead to a budget and revenue strategy for the Fund 833.

17. Recommendation: The City should reimburse Fund #833 for the cost of new office space and funding the revision to the Zoning Ordinance.

18. Recommendation: The Planning and Development Department and City Finance should estimate a Fund Balance for FY18 and develop a budget and revenue strategy for the Fund.

Table 4
Fund #833 Balance

Item	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Adjusted	Zucker Systems FY18 Estimated
Beginning Fund Balance	\$2,721,254	\$7,370,384	\$12,617,224	\$11,233,859	\$10,498,824
Revenues	\$14,087,031	\$17,012,980	\$14,897,395	\$12,479,588	\$14,394,754
Expenditures	\$9,437,901	\$11,766,140	\$16,280,760	\$18,715,201	\$15,856,952
Surplus/Shortfall	\$4,649,130	\$5,246,840	(\$1,383,365)	(\$6,235,613)	(\$922,198)
Ending Fund Balance	\$7,370,384	\$12,617,224	\$11,233,859	\$4,998,246	\$9,576,626

Table 5
Zucker Systems Estimated Enterprise Fund #833 Budget
and Revenues for FY18

Function	FY17 Budget, Adjusted	FY18 Budget Estimated	FY18 Estimated Revenues
Administration	\$1,055,939	\$1,060,212	
Bldg Lease	\$558,176	\$558,176	
Building and Safety	\$5,122,406	\$5,238,885	\$10,219,246
Land Use	\$3,995,308	\$4,080,578	\$1,595,867
Pass-thru, Expedited	\$736,120	\$736,120	\$175,000
OESD (solar)	\$411,695	\$422,643	\$316,828
Permit Service Center	\$1,214,817	\$1,243,316	
Toxics	\$71,800	\$73,725	\$68,340
SUB TOTAL PLANNING AND DEVELOPMENT DEPARTMENT	\$13,166,261	\$13,413,655	\$12,375,281
City Manager – Code Enforcement	\$157,908	\$162,181	
Fire	\$322,558	\$331,221	\$380,717
HSG	\$5,248	\$5,389	
Human Resources	\$196,913	\$202,182	
Information Technology	\$636,090	\$640,870	
Public Works Engineering	\$3,725,213	\$580,199	\$1,183,896
Public Works Transportation	\$230,490	\$236,735	\$454,860
Optg Xfer out – fund 840	\$233,965	\$233,965	
Optg Xfer out – fund 890	\$50,555	\$50,555	
SUB TOTAL, RELATED DEPARTMENTS	\$5,558,940	\$2,443,297	\$2,019,473
GRAND TOTAL	\$18,715,201	\$15,856,952	\$14,394,754

Enterprise Funds generally include a fund balance to support a transition budget when development activity is at a lower level. The five-year fund balance is shown in Table 4. As can be seen, the FY17 Adjusted balance is shown as only \$4,998,246. Given carryovers and likely higher fees, the balance will likely increase but still be lower than we normally recommend. When development activity is high, which is the case in Berkeley now, we recommend the fund balance be increased each year until it matches the annual budget. This would mean a balance of \$16 to \$18 million. This study is not designed to solve this issue, but it is one that the Planning and Development Department and related functions should examine.

19. *Recommendation:* The Planning and Development Department and related departments should examine ways to increase the fund balance for Fund #833, aiming to build it to match annual expenditures.

Long Range Planning

Another budget issue is how long range planning is handled. Many communities fund long range planning out of the General Fund or through special surcharge fees in building permits. For the FY17 Land Use Budget of \$4,091,575, \$831,494 of this comes from the General Fund. Having the long-range planning expenses funded by the General Fund is appropriate. Additional study should be conducted to segment the \$831,494 to determine if it is the appropriate level. It should be noted that as discussed in the Policy section of this report, there is a need to re-do the General Plan, which can be a costly effort. This would need to be financed from the General Fund.

20. *Recommendation:* The Long-Range Planning budget should be examined to determine if the appropriate amount is being charged to the General Fund.

E. HIRING

One of the situations that can have a significant impact on staffing levels is the process utilized to fill positions that become vacant. Many comments from staff expressed frustration about the length of time and the amount of resources that must be dedicated by the Department in order to successfully fill a vacant position. We have always recommended that cities aggressively seek to fill positions they know will be vacant prior to the incumbent leaving the position. The opportunity to share the wealth of knowledge gained by the person having performed the duties of the position with the replacement employee outweighs the marginal costs of supporting two positions for a short period of time. Unfortunately, what most frequently occurs is that the position is left vacant for a considerable length of time due to the capacity limitations in the Human Resources Department. When the position is finally filled the new employee must be trained by an individual who may not possess the knowledge to properly perform the function and who is expected to continue to perform their regular job. This leads to incomplete and/or improper training and sometimes even resentment over the impacts created by the new employee.

21. *Recommendation:* The Department should request authorization to fill positions prior to the departure of the position's incumbent in order to facilitate an efficient transition for the new employee.

22. *Recommendation:* The Department should work with Human Resources to streamline the hiring process and make it less burdensome on existing Department resources.

Another way to help minimize the impact of staff vacancies is to promote the idea of existing employees participating in cross-training opportunities or having staff temporarily assigned to a vacancy in a higher position while offering out-of-class pay. Looking at resources available in-house may provide existing employees an opportunity to “try out” a new job and potentially lead to restructuring of an existing position to meet both the employee and the department’s needs.

23. *Recommendation:* The Department should consider implementing cross-training programs to encourage employee career development and to create a pool of backup resources during peak workload periods or temporary vacancies.

24. *Recommendation:* Department Management should utilize temporary out-of-class appointments during the period required to fill a vacant position.

F. OFFICE SPACE

The Planning and Development Department has moved to the 1947 Center Street Building. This follows the national Best Practice trend to collocate planning and development functions. Facilities include:

- Fourth Floor, Public Works including Engineering Plan Check, and Transportation Plan Check;
- Third Floor, includes the Permit Service Center with 12 counter spaces, building inspection and building plan check staff, Fire office, PW Engineering Plan Check, and several conference rooms;
- Second Floor, includes the Office of the Director, Land Use Planning, and HHCS;
- First Floor, Energy and Sustainable Development, Toxics Management, and Finance; and
- Basement, includes the Land Use Planning Library, and several new training rooms.

It appears that the layout of this building should allow good opportunities to integrate the planning and development related services.

G. STRATEGY

The Planning and Development Department has a new Land Use Planning Manager, and an Interim Director has been appointed while a nationwide recruitment is conducted. While a number of changes have been underway, what is needed is an overall operational strategy for the Department. The strategy would include:

- **Resources:** How to provide the resources needed for the Department. Specifically, how to keep Fund #833 solvent for development activities, and how to build up a strong working reserve.
- **Performance Standards:** How to set, monitor, and meet performance standards for all the processes. Berkeley's long processing times are a major issue for the City's customers.
- **Zoning Ordinance/The Berkeley Way:** A review of the Zoning Ordinance is underway. It should not only focus on clarifying the Ordinance but also simplifying the processes while still respecting "The Berkeley Way." Particular focus should be on delegating more issues to "As-of-Right" approval additional permit decisions by staff, and simplifying and rationalizing the four decision bodies, *i.e.*, Planning Commission, Zoning Adjustments Board, Landmarks Commission, and Design Review Committee.
- **Staffing:** There has been considerable staff turnover amongst planners. The process for filling vacancies is long, many processes appeared understaffed and resources may not be available for adding additional staff. Alternatives could include raising fees, increasing staff efficiency, and expanding expedited permits.
- **Technology:** Best Practice communities are moving permits to the Internet and beginning to create the long discussed paperless office. Berkeley has begun this effort through purchasing the Accela software, however full implementation has not yet been completed. The strategy should address this issue.
- **Management and Training:** Changes to all the items listed above will lead to a need for strengthening mid-level management and substantially expanding staff training programs.
- **Customer Service:** The strategy should further define what customer service means in the Berkeley context.

25. *Recommendation: The Planning and Development Department should undertake an operational strategy effort.*

H. TELEPHONE AND EMAILS

One of the key problems we heard from customers is the lack of return phone calls and emails on a timely basis. As part of the information age, we believe that all phone calls and emails should be returned the same day received. Staff will suggest that they don't have time to do this. However, unless the phone calls and emails are never returned, it takes no more time, and likely less, to return them promptly. Phone calls and emails should not be viewed as an interruption of the work but as an integral part of the work. For many staff, time should be set aside at the end of the day for this function.

26. *Recommendation:* All phone calls and emails should be returned the same day received.

I. WEBSITE

Our studies have revealed a continuing trend that indicates that customers are increasingly relying on the information provided in a city's web site as they seek to understand a city's services and processes. The City of Berkeley needs to ensure that the information on the website is timely and accurate. Currently there is information on the website that is inconsistent with the direction that staff is providing customers at the public counter (e.g., loading digital files for plan review).

27. *Recommendation:* The Planning and Development Department should closely monitor the information provided by the Department's website to ensure accuracy and consistency with current processes.

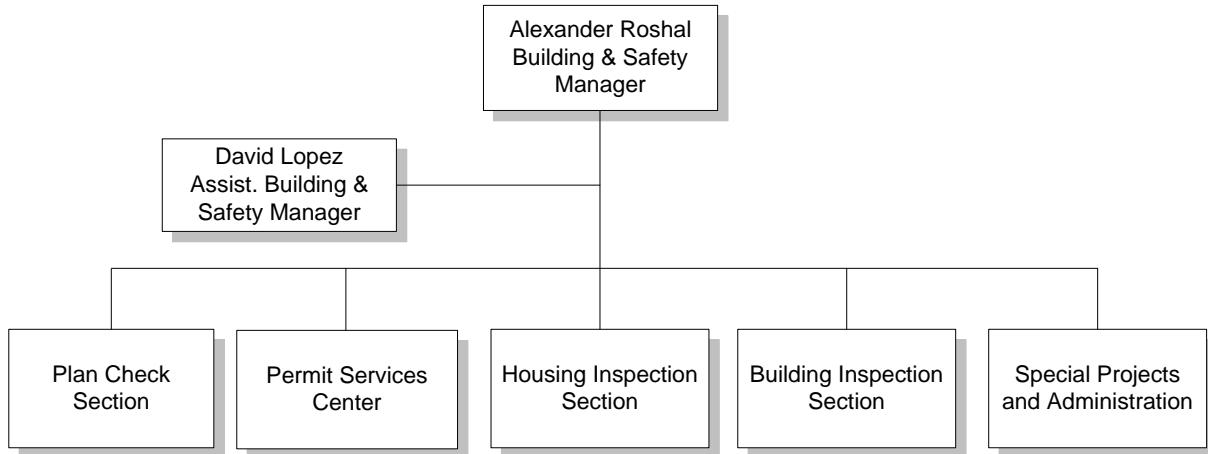
In response to our inquiries about this discrepancy, staff volunteered that the current process for getting information updated on the website is very burdensome, as it seems to require prior approval from staff in the City Manager's Office. We certainly recognize that the City should ensure that information on the website accurately reflects the City's intended image, however, we believe that parameters can be established that would streamline staff's ability to make needed changes to the Department's website. We recommend the City Manager's Office develop a clear description of acceptable content to be posted on the City's website and then, using the guidelines, allow Department management to assume responsibility for the review and approval of changes to their Department's website.

28. *Recommendation:* The City Manager's Office should publish website guidelines and then authorize departments to assume responsibility for ensuring compliance when updating their website information.

V. BUILDING AND SAFETY DIVISION

The Building and Safety Division consists of 35.35 FTEs organized in five sections as shown in Figure 3. Only the Permit Service Center and the Plan Check Section are included in this study.

Figure 3
Building and Safety Division Organization



A. PROFILE

Overview

The purpose of this study is to specifically evaluate and provide recommendations to improve the customer service provided by the Plan Check Section and the Permit Service Center. Recently, the Permit Service Center Division was reorganized from reporting directly to the Director of the Planning and Development Department to be a section that reports to the Building Official responsible for Building and Safety Division. This realignment was intended to provide better coordination between the activities of the Permit Service Center and the Building and Safety Division. We have seen this organizational arrangement used successfully in many of our studies. Aligning the counter permit operations under the Building Official seems to provide a more direct line of accountability for that activity most associated with the Division's function, the issuance of building permits.

The process of developing recommendations to improve customer service includes reviewing several sources of information. In our study, we reviewed the comments provided in confidential employee and customer surveys, information provided during our focus group meeting with customers as well as our observations during our

confidential interviews with selected employees. As indicated in other sections of this report, the feedback from customers was generally critical of the Department's overall operations (see customer comments in Section X). It is worth observing, however, upon a more thorough review of the written customer comments and those comments provided during the focus group meeting, it became apparent that most of the serious complaints were intended to highlight problems in the planning and zoning process. Our study, however, does include a list of recommendations specific to the Plan Check and Permit Service Center sections that we believe will improve customer service.

In many of our studies we find that the jurisdiction has simply failed to take appropriate action to upgrade their services as customer expectations have increased. Generally, this takes the form of failing to upgrade the technology available for customers to use to streamline their experience in obtaining their desired services. What has occurred within the Building and Safety Division is that their efforts to upgrade their technology to meet the cutting-edge expectations of the sophisticated clientele in their jurisdiction has resulted, during the early implementation phase, in an actual service level reduction when compared with the previous processes. Customers wait longer to receive assistance at the public counter, issuing permits takes longer, plan review turnaround times are longer, and frustration abounds due to the complexities introduced with the new electronic plan review process. A more comprehensive description of these problems is contained in the Technology Section of this report. It is our belief that implementation of our technology recommendations will substantially resolve these problems to the point where the anticipated benefits of migrating to the new technology will actually be realized for both customers and staff.

Basic Functions

While the overall function of the Building and Safety Division is to support the development review, permit issuance and inspection process, the functions of the Permit Service Center and the Plan Check Section are specific to processing applications and reviewing plans to confirm they comply with the codes adopted by the State and the City of Berkeley. In nearly all cases, customers must also have their project reviewed and approved by other departments, divisions, or outside agencies that participate in the planning review process. As noted in the customer comment section of this report, navigating through this process has proven to be very challenging for many customers. Our studies indicate that customers, having successfully negotiated their way through the planning process, simply want the building permitting process to be streamlined and predictable. They want the process to contain the fewest steps as possible and that commitments made by staff regarding permit fees and plan review turnaround times are consistently met. They also want to know the status of their project while it is being routed through the building permit process. As identified in many of the employee surveys, by the time the applicant

reaches the building permit stage of the process the project is typically well behind schedule and over budget, and they have little remaining patience for further delays.

B. ORGANIZATION

Plan Check Section

The Plan Check Section consists of seven positions as identified in lower portion of the organization chart below, Figure 4. The duties of these positions are outlined in the table following the organization chart. It should be noted that this organization chart, as provided by the City, identifies an Engineering Inspector reporting to the Supervisor of Plan Check. This arrangement may not be consistent with the understanding of management in Public Works. A recommendation on this subject is included in the report.

Figure 4
Building Plan Check Organization

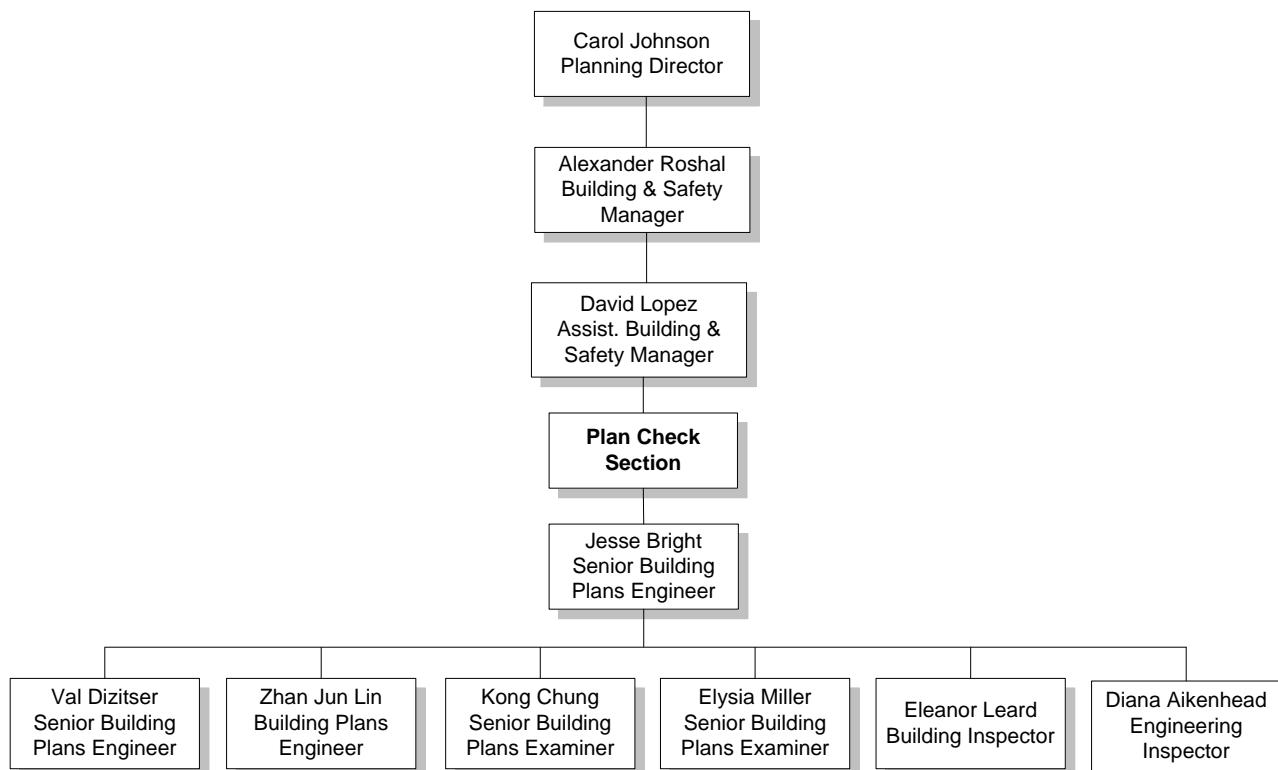


Table 6
Plan Check Section Staffing

Classification	# of Positions (FTEs)	Responsibility	Reports to
Senior Building Plans Engineer (Supervisor)	1	Oversees the Plan Check Section on day-to-day assignments and provides technical code interpretations. This position has recently been given additional duties to perform as Planning and Development Department's primary contact on completing the implementation of the Accela System.	Assistant Building and Safety Manager
Senior Building Plans Engineer	1	Performs plan reviews of complex projects and manages those projects sent out to be reviewed by outside consultants.	Sr. Building Plans Engineer (Supervisor)
Building Plans Engineer	1	Performs plan reviews of structural building, plumbing, electrical, mechanical, energy and accessibility construction work. Performs more complex reviews requiring engineering evaluation.	Sr. Building Plans Engineer (Supervisor)
Senior Building Plans Examiner	2	Performs plan reviews of building, plumbing, electrical, mechanical, energy and accessibility construction work.	Sr. Building Plans Engineer (Supervisor)
Building Inspector	1	Performs plan reviews for projects of minor complexity typically described as over-the-counter permits.	Sr. Building Plans Engineer (Supervisor)
Engineering Inspector	1	Performs plan reviews for work in the public right-of-way and other projects that fall under the authority of Public Works.	Sr. Building Plans Engineer (Supervisor) or PW?
Total FTE's	7	Current Staffing	

Permit Service Center

The Permit Service Center consists of eight positions as seen in Figure 5. A summary of the duties of the positions within the Section is provided in the Permit Service Center Staffing Table 7, below the organization chart.

Figure 5
Permit Service Center Organization

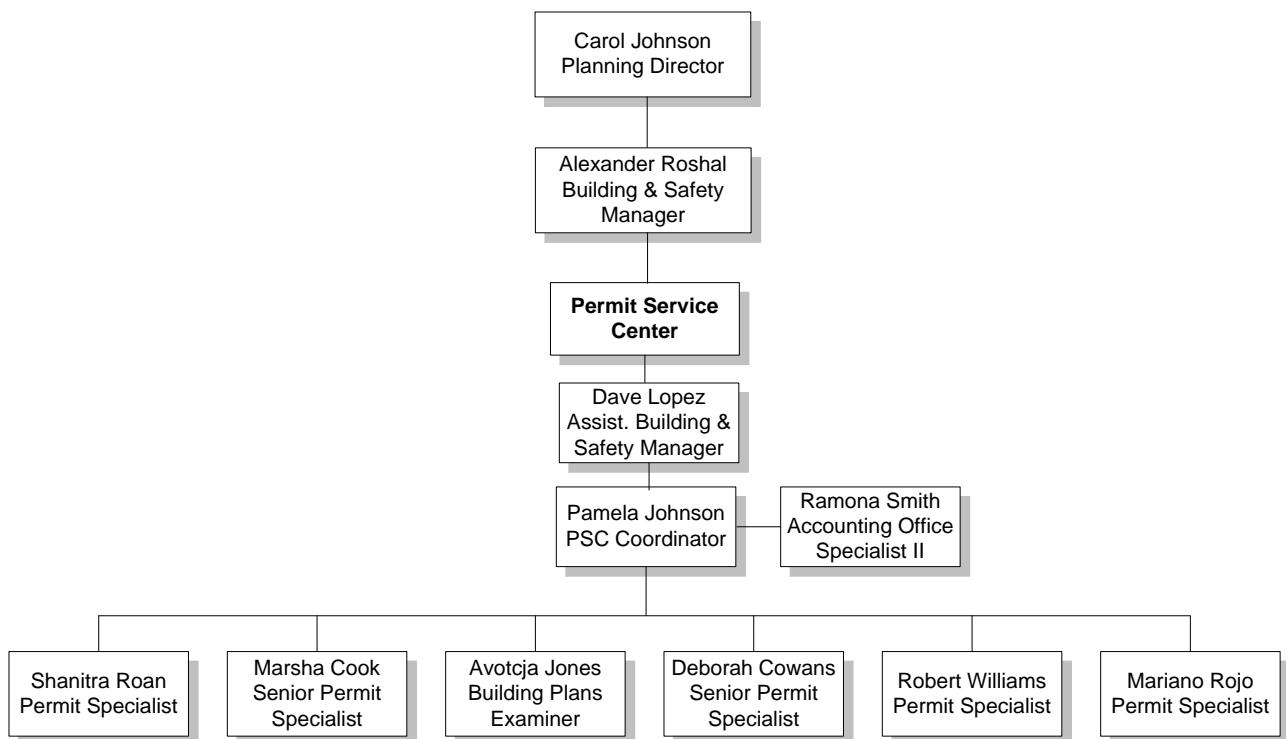


Table 7
Permit Service Center Staffing

Classification	# of Positions (FTEs)	Responsibility	Reports to
Permit Service Center Coordinator	1	Manages the operations of the Permit Service Center in receiving, processing and issuing a variety of permits for Building, Planning and Public Works through the one-stop center.	Assistant Building and Safety Manager
Senior Permit Specialist	2	Performs the intake and processing of more complex projects, assists customers at the counter and routes plans to appropriate staff for review prior to issuing permits. Enters and tracks all permit related information in the Accela Permit System. Makes manual corrections to permit fees calculated in Accela. Compiles all documentation to be included in permit history. Responds to requests for public records from customers and staff. May staff "Welcome Desk" to provide initial direction to customers.	Permit Service Center Coordinator
Permit Specialist	3	Performs less complex permit processing tasks than those listed for Senior Permit Specialist. May staff "Welcome Desk".	Permit Service Center Coordinator
Accounting Office Specialist II	1	Performs cashiering function for the Department by receiving fee payments and posting them to appropriate funds accounts. Reconciles data from Accela System with City finance accounting system.	Permit Service Center Coordinator
Building Plans Examiner	1	Performs complex application input functions to support counter. Assists applicants in submitting their electronic plans in acceptable format. Position is anticipated to perform minor plan reviews in the future at the counter.	Permit Service Center Coordinator
Total FTE's	8	Current Staffing	

C. POSITIVE POINTS/AREAS OF STRENGTH

1. The Department operates a centralized Permit Center to receive applications for a variety of permits including Planning, Building, and Public Works.
2. Appointments can be made for all services by telephone or at the Department's "Welcome Desk."

3. Plan review is done with digital plans to allow for simultaneous review by all required departments/divisions.
4. Public Works is currently updating handouts and design standards.
5. Most staff in Building & Safety Division are certified to perform their assigned duties.
6. Both Plan Check and Permit Service Center employees attend weekly staff meetings to provide training and exchange information between staff and management.
7. Plan Check and Inspection staff meet periodically to discuss and agree on the level of detail that should be required on plans prior to approval.

D. ORGANIZATION ISSUES

Communications/Timelines

The Building and Safety Division has established a table (Table 8) that identifies their plan review target turnaround times. These vary based on the anticipated amount of time necessary to complete the plan review by the Plan Check Section. The information is available through the Division's website, but we would have to describe it as "buried". The comments provided to us in customer surveys and during the focus group meeting indicated that **failure to meet target turnaround times** is the most significant complaint they have with the Building and Safety Division's operations. We believe that such information should be prominently displayed in multiple locations, both in the public counter lobby of the Permit Service Center and on the website. In addition, staff should be required to verbally communicate to customers the Division's current estimate of the actual turnaround time for plan review at the time they submit their plans. Staff indicated they were reluctant to provide customers with information about the published target turnaround times because they have not been meeting those times for an extended period.

During our interviews, we were advised that plan reviews were being completed three weeks later than the target. For some projects this represented a doubling of the time the customer expected. Not providing accurate information to customers undermines the trust that is essential between the City and its customers. We have provided a list of recommended performance standards, including plan review turnaround times, under the heading of Performance Standards elsewhere in this report.

29. Recommendation: The Building Official should direct staff to provide customers with an accurate estimate of the anticipated turnaround time for their plan review.

30. *Recommendation:* The current estimate of plan review turnaround times should be prominently posted in multiple locations including the Department's public lobby and on the Building and Safety Division's website.

Communication with customers consists of verbal, written, and nonverbal. Our customer survey revealed a frequent complaint that staff at the counter does not seem to demonstrate any sense of urgency when dealing with them, even though many customers must wait for more than an hour before they are helped at the counter. Customers state that they frequently see front counter staff engaged in private conversations among themselves or on personal phone calls. Staff is apparently not fully aware of the negative image they are conveying to the customer through their nonverbal communications. While staff explains the general slow responses at the counter as a direct result of the additional time now required for the Accela system to process data requests, staff should not only explain this problem to customers but should endeavor to multitask during these waiting periods by attempting to complete other business related tasks that will assist the customer. Some of these image problems may also be reduced in the future when staff moves to the new offices that will provide them with private workspaces away from direct public viewing. This arrangement should allow supervisors to reinforce the need to be highly professional when conducting business in the public eye.

31. *Recommendation:* The Permit Service Center Supervisor should frequently monitor both the verbal and nonverbal communication between customers and front counter staff to ensure a professional image is maintained.

32. *Recommendation:* The Permit Service Center Supervisor should direct staff to explain to customers why they are experiencing a delay in entering their application data.

33. *Recommendation:* The PSC Supervisor should identify and encourage staff to perform other beneficial tasks during those extended periods when the computer system is loading data.

Consultants' Performance

In addition to auditing the performance of employees against established performance standards, the work performed on behalf of the City by approved third-party plan review consultants should be reviewed for both quality and quantity as identified in the contracts approving their services. Though current reports are not available from the Accela system to document the turnaround times for recent projects sent to

consultants, a review of previous years' reports indicate that the consultants have consistently outperformed in-house staff in meeting turnaround times. While this should continue to be monitored, more emphasis should be placed on confirming that the quality of the plan reviews performed by consultants is compatible with rules utilized by in-house staff.

Several customer comments stated that the plan reviews performed by outside consultants typically stated more detailed corrections than those provided by in-house plan review staff. This should not necessarily be interpreted to indicate that in-house staff is failing to perform a comprehensive review, but rather that in-house staff may have a better understanding of the level of detail that must be included on the plans before they should be approved. It is common for building departments to establish a threshold of what must be included on the plans versus what details can be left to the inspection staff to review and approve in the field. Currently the non-supervising Senior Plan Engineer oversees the program that assigns work to be completed by outside consultants. It would be logical to expand this person's responsibilities to include performing periodic audits of the work that has been assigned to the outside consultants.

34. *Recommendation:* The Building Official should assign the non-supervising Senior Plan Engineer the responsibility of performing periodic audits of the work performed by outside plan review consultants.

Job Descriptions

The Building Official has implemented numerous updates to the job descriptions for positions throughout the Building and Safety Division since assuming the role of Building Official. Some adjustments have also been made to provide monetary incentives for employees who voluntarily obtain additional certifications. We support maintaining current job descriptions as a means of ensuring that the City's recruitment process is screening applications based on their actual job performance needs. Additionally, having current job descriptions is the only way to ensure that periodic salary studies that compare job descriptions between peer jurisdictions yields valid results.

In some positions (Combination Inspectors) the employees all seem to exceed the minimum qualifications in the current job description. These higher standards have now become the *de facto* minimum level expected for a new hire in that classification. The job descriptions should be updated to reflect these actual expectations for the positions and to ensure valid salary studies in the future. There may be other examples of this type of discrepancy between performance expectations and minimum qualifications in the job descriptions. Management should conduct a thorough review of this issue and determine if additional job description adjustments are warranted.

35. *Recommendation:* The Building Official should conduct a comprehensive review of all job descriptions within the Division and recommend adjustments as needed to reflect the actual demands of the position(s).

The ongoing introduction of new technologies as well as the ever-increasing volume of building code regulations has redefined the skill levels necessary to competently perform the various assignments that comprise the operations of the Building and Safety Division. On the front line of these changing demands is the staff assigned to the customer service positions at the Permit Service Center counter. The primary responsibility to learn and assist customers on the proper use of the new technologies recently introduced by the Department falls upon these staff members. During our national studies, we have seen an increasing trend to staff public counters with ICC Certified Permit Technicians. Obtaining this certification can demonstrate an employee's awareness of those tasks of critical importance to the permit process. The process that requires Continuing Education Units in order to periodically renew their Certificates also helps confirm that employees are being updated on changes affecting the industry. We recommend the Building Official continue to pursue incentives for existing employees to obtain certification as a permit technician and further highlight the need for such certification as a minimum requirement for new hires.

36. *Recommendation:* The Building Official should establish a long-term goal to have only Certified Permit Technician staff the public counter.

Management

Decisions have been made to reassign key supervisor/management personnel to perform tasks unrelated to their core assignments. An example is the designation of the Plan Check Supervisor (titled Sr. Building Plans Engineer) to assume the primary role of resolving the large number of outstanding deficiencies that have been identified in the current operation of the Accela system. On one hand, we acknowledge that this individual employee has historically demonstrated strong skills in identifying and resolving Accela problems, but we must question the timing of adding this additional responsibility to his already significant workload.

One of the most frequently stated complaints from customers was the Building and Safety Division's inability to meet established plan review turnaround times. With the additional assignment of troubleshooting the Accela system, the current Plan Check Supervisor will not have sufficient time to increase the oversight of the plan review process and implement the recommendations we are including in this report. Many of the Supervisor's responsibilities should be reassigned, at least on a temporary basis, to other staff members within the Division. Fortunately, there are currently two positions designated the title of Sr. Building Plans Engineer within the Division. Steps should

be taken to reassign some of the current supervisory responsibilities to this position, particularly those related to auditing both in-house and consultant plan reviews.

37. *Recommendation:* The Building Official should reassign some supervisory duties of the current Plan Check Supervisor to the other Senior Building Plans Engineer during the time the Plan Check Supervisor is assigned to resolve Accela system deficiencies.

An approach that might help minimize the overall impact of reassigning the Plan Check Supervisor to perform Accela system troubleshooting would be to request additional resources from the City's IT Department. Our Technology Section of this report provides greater detail on this subject but the need to request additional technical resources from the IT Department is consistent with the overall approach to implementing the technology plan.

38. *Recommendation:* The Building Official should request additional full time technical resources be made available onsite within the Division to address the large volume of Accela system problems that arise daily.

A review of the employee survey results as well as individual interviews with supervisors indicated that it is a common practice to have the Permit Service Center Coordinator self-assign herself to perform routine counter service duties, particularly when there appears to be an extraordinarily long customer wait time. On the surface, this appears to be laudable as a way for the supervisor to demonstrate she is part of the team and willing to help out when needed. Unfortunately, this action is only a stopgap measure and fails to address the actual issues the supervisor is responsible for resolving. The Division's consistent failure to meet a reasonable customer wait time is an indication that the supervisor and managers have not adequately analyzed the root causes for the excessive wait times and have not provided sufficient recommendations to alleviate the problem.

This same problem was previously identified in the City's Auditor's Report entitled *Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service*. This report, prepared in March 2014, contained a number of recommendations intended to ensure that staff was following nationally recognized practices to avoid the potential for, among other things, theft and fraud by staff charged with the responsibility of assessing fees and collecting money. We believe many of the problems identified in the report have, or will be resolved, when the Accela system is fully functional and integrated with the City's new financial reporting software. However, we still believe there is an over-reliance on senior staff to perform routine staff work when they should be focusing their attention on tasks more directly related to their specific roles. Additionally, when supervisors performs staff work there is no mechanism in place to audit the staff work

performed by the supervisor. The Permit Service Center Coordinator needs to be more diligent in auditing the actual work performed by staff and formulating process changes that will improve the section's performance. In the rare cases that it is necessary for the supervisor to perform routine staff work, that work should be audited by a manager for conformance with the standards identified in the City's Audit Report.

39. *Recommendation:* The Permit Service Center Coordinator should avoid performing routine staff permit processing work and instead focus attention on resolving Section-wide problems.

40. *Recommendation:* When it is necessary for the PSC Coordinator to perform routine permit processing work, that work should be audited by another Manager in the Division.

The current process utilized in the Plan Check Section is to have plan check staff self-assign themselves to a new project when they complete their current project. At this time there is a great deal of trust among the staff and supervisor in the Plan Check Section regarding everyone's willingness to equally share the workload. This represents a level of cooperation that is commendable and is no doubt at least partially attributable to the management style of the supervisors and managers. However, this practice of bypassing the supervisor in determining how work assignments are distributed can be problematic because it fails to allow the Supervisor the opportunity to make assignments based on individual's qualifications to perform the plan review. This lack of oversight could also contribute to an arrangement that allows plans examiners to pick and choose those customers they want to serve. It is our hope that when the Accela system becomes fully operational, the task of assigning and monitoring individual plan reviews and overall workload will be streamlined and less burdensome.

41. *Recommendation:* The assigned Supervisor for the Plan Check Section should assign work to staff based on staff qualifications and achieving an equitable distribution of the overall workload.

Performance Standards

Jurisdictions that consistently utilize Best Practices establish and closely monitor their actual performance against those standards established by the organization. We have included two tables of recommended performance standards that we believe represent the Best Practices we have witnessed in the numerous studies we have conducted throughout the country. We recognize that these standards may not be a perfect fit for every jurisdiction, but we provide them in the interest of communicating the standards

that are being achieved by other jurisdictions that may be competing with the City of Berkeley in attracting the types of commercial and residential developments desirous to the City.

When we approach jurisdictions to collect their performance standards we frequently are presented with considerable data about the activities the jurisdictions have processed within a specified timeframe. While this information is useful in determining overall changes in activity levels over time, it is not truly a reflection of what we consider to be the jurisdiction's performance standards. We consider performance standards to be the "agreement" the jurisdiction has established with the community regarding the level of service they should expect the City to provide its customers. Two of the most prominent performance standards applicable to the development review process are the plan review turnaround time and the customer wait time at the public counter. Simply measuring activity levels will not provide answers to these performance-based questions. The ability to meet specified performance standards is a function of both activity level (workload) and the resources (staffing) dedicated to perform task(s).

Figure 6
Relationship Between Demand and Resources



Currently the Building and Safety Division cannot provide accurate data on actual performance in meeting any established standards in these critical areas. As stated above under the heading of Communications, the Division publishes turnaround time goals but interviews with staff and customers indicate that these standards are rarely met. During our interviews staff indicated they were approximately three weeks behind in meeting their turnaround time goals. In many cases this is a doubling of the stated turnaround time target. Unfortunately, our interviews revealed that it is not the Division's standard operating policy to communicate the actual anticipated turnaround time to the customer when they submit their plans for review. This failure to initially communicate realistic turnaround times creates a scenario that frequently results in a complete breakdown in trust between customers and the City. Customers, often professional architects and engineers, rely on the information provided by City staff when communicating critical information to their clients. When this information proves faulty, it not only undermines the credibility of the professionals in the eyes of their clients but also frequently results in financial losses to the owner that could have

been avoided had there been more accurate communication from City staff at the inception of the project.

Table 8
Existing Building and Safety Estimated Plan Check Turnaround Times*

PERMIT TYPE	INITIAL PLAN CHECK TURNAROUND TIME IN WORKING DAYS	RESUBMITTALS TURNAROUND TIME IN WORKING DAYS	BRIEF DESCRIPTIONS OF PROJECTS REVIEWED UNDER THESE PERMIT TYPES
BP-0	OVER THE COUNTER	N/A	<p>Projects that can be reviewed (including providing comments) and/or approved within 30 minutes or less.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Residential kitchen remodels • Residential bathroom remodels • Dry-rot/pest control damage repairs • Deck/porch repair/alteration • Residential voluntary seismic retrofits • Window replacements • Residential Solar PV installations • Residential Electric Vehicle plug-in modules • Other similar projects of minor nature if, per plan checker's discretion, the plan review could be accomplished within 30 minutes
BP-1 (1 WEEK)	5 WORKING DAYS	5 WORKING DAYS	<p>Projects where plan reviews can be completed within 3 hours.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Residential remodels and/or alterations (excluding attic and/or basement conversions) that may also include some structural calculations • Small residential additions (<i>i.e.</i>, porch enclosures, bay additions, room extensions, other similar add-ons) that may also include some structural calculations • Demolitions • Signs/awnings/canopies/fences • Nonresidential Solar PV / EV system installations • Stand-alone Mechanical or Electrical or Plumbing installations not associated with a BP-3, BP-4, or BP-6

PERMIT TYPE	INITIAL PLAN CHECK TURNAROUND TIME IN WORKING DAYS	RESUBMITTALS TURNAROUND TIME IN WORKING DAYS	BRIEF DESCRIPTIONS OF PROJECTS REVIEWED UNDER THESE PERMIT TYPES
BP-3 (3 WEEKS)	15 WORKING DAYS	10 WORKING DAYS	<p>Projects where plan reviews can be completed within 8 hours</p> <p>Examples:</p> <ul style="list-style-type: none"> • Nonresidential tenant improvements • Nonresidential additions • Residential additions, attic/basement conversions, major remodels • New single family residences and accessory structures • Structural alteration projects • Engineered seismic retrofits • Code Enforcement cases
BP-3A (ACCELERATED)	8 WORKING DAYS	5 WORKING DAYS	<p>Same as BP-3 and BP-4</p> <p>Notes:</p> <ul style="list-style-type: none"> ➢ Requires upfront supervisor's approval as accelerated reviews are performed outside of regular working hours; ➢ Requires additional 80% of regular plan check fee; ➢ Regular plan check turnaround time reduced by 50%
BP-4 (4 WEEKS)	20 WORKING DAYS	10 WORKING DAYS	<p>Projects where plan reviews can be completed within 8 hours</p> <p>Same as BP-3, but during periods of high permitting activity. Examples:</p> <ul style="list-style-type: none"> • Nonresidential tenant improvements • Nonresidential additions • Residential additions, attic/basement conversions, major remodels • New single family residences and accessory structures • Structural alteration projects • Engineered seismic retrofits • Code Enforcement cases
BP-6 (6 WEEKS)	30 WORKING DAYS	15 WORKING DAYS	<p>Projects where plan reviews may take more than one working day to complete.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Large projects of any kind over \$1 million in valuation • New multi-unit residential (3+ units) building • New commercial, industrial, or mixed use buildings

PERMIT TYPE	INITIAL PLAN CHECK TURNAROUND TIME IN WORKING DAYS	RESUBMITTALS TURNAROUND TIME IN WORKING DAYS	BRIEF DESCRIPTIONS OF PROJECTS REVIEWED UNDER THESE PERMIT TYPES
BP-6A (ACCELERATED)	15 WORKING DAYS	10 WORKING DAYS	<p>Same as BP-6</p> <p>Notes:</p> <ul style="list-style-type: none"> ➢ Requires upfront supervisor's approval as accelerated reviews are performed outside of regular working hours; ➢ Requires additional 80% of regular plan check fee; ➢ Regular plan check turnaround time reduced by 50%

* INCOMPLETE OR INADEQUATE PLANS MAY SUBSTANTIALLY IMPACT ESTIMATED PLAN CHECK TURNAROUND TIMES

As a partial explanation of the current situation, it is recognized that actual measurement of turnaround times for plan review had historically been tracked by using the previous HTE permitting system software. Since the implementation of the Accela system this ability to accurately track and report on compliance with the turnaround time performance standard has not been available. Many other jurisdictions utilizing the Accela system have been able to fully implement the modules necessary to accurately perform this task so we are confident that the City of Berkeley will also eventually be able to report on this critical performance standard.

The table below represents our recommended plan review turnaround times based on our studies in other communities throughout the country. Our recommendations do not provide the same level of project descriptions currently contained in the Building and Safety Division's Turnaround Times Table 8, but we believe the categories are similar. Again, we endorse the efforts made by the Building Official to create performance standards for plan review turnaround times but must recognize their limited usefulness if these standards are not being met. More detailed information about the gap between these turnaround targets and actual performance will be included under the Staffing section of this report.

Table 9
Plan Check Recommended Performance Standards

Description	Performance Standard	Reporting Frequency
Plan Review - New Commercial Building - > \$1,000,000 valuation	90% within 20 business days	weekly
Plan Review - New Commercial Building - < \$1,000,000	90% with 15 business days	weekly

Description	Performance Standard	Reporting Frequency
Plan Review - Commercial Tenant Improvements -	90% within 10 days	weekly
Plan Review - Residential - Multifamily - > 20 units	90% within 15 business days	weekly
Plan Review - Residential - Multifamily - < 20 units	90% within 10 business days	weekly
Plan Review - Residential - Single Family	90% within 10 business days	weekly
Plan Review - Residential - Single Family - Standard Plan	90% within 5 business days	weekly
Plan Review - Residential modifications	90% within 5 business days	weekly
Plan Review - Minor Permits (P/E/M/S)	90% Over the counter/online	weekly
Plan review rechecks	90% within 1/2 of previous turnaround time	weekly
Plan Review Quality Control	Monthly	Quarterly

42. Recommendation: The Building Official should incorporate the above plan review turnaround times into the existing performance standards.

In addition to performance standards for plan review turnaround, we have provided a table of recommended performance standards for activities associated with the Permit Service Center. Several of these standards are also applicable Department-wide (ex: returning phone calls).

Table 10
Permit Service Center Recommended Performance Standards

Description	Performance Standard	Reporting Frequency	Remarks
Counter Initial Service	90% within 15 minutes of arrival	weekly	Time between customer check-in and meeting with appropriate staff
Answering Customer phone calls	90% within 3 rings	weekly	
Returning phone calls from messages	90% returned same day	weekly	
Employee Training Budget	5% of Annual Personnel budget	Quarterly	
Customer Satisfaction Surveys	85% satisfied or better	semi-annually	

Description	Performance Standard	Reporting Frequency	Remarks
Initial receipt of plans	90% within 1 business day	weekly	Time between receipt of plans at counter and delivery to plans examiners
Permit preparation for issuance	90% within 2 business days	weekly	Time from approvals of all plan reviewers and permit ready to issue

43. *Recommendation:* The Permit Service Center should adopt the performance standards identified in the table above.

As mentioned above, the amount of time customers are expected to wait for service at the public counter is a major indicator of their satisfaction with the City's commitment to service. Our recommended performance standard for maximum wait time for customer to receive service at a public counter is 15 minutes. When establishing this standard, we assume the standard will be met 90% of the time. There is no system in place currently that accurately measure the amount of time customers must wait before they receive service at the Permit Service Counter. However, employee interviews and surveys revealed that many customers must wait in excess of one hour before they receive service. We believe this performance standard is a critical component of customer's assessment of the quality of service provided by the City. As such, we believe the Division should be diligently measuring their ability to meet an established performance standard.

The Building and Safety Division had initiated a computer-based program (NEMO-Q) to accurately track and measure the number of customers, type of service and the wait and service times for each customer. This program had been operational for a short period of time, however, its use was discontinued reportedly based on software limitations and staff's resistance to learning a new program. Currently customers are routed to the appropriate staff by using a paper-based system. There is no formal system in place to collect customer data at this time.

Our experience in other jurisdictions has given us the ability to assess the value of customer tracking systems. We believe the NEMO-Q system has the ability to meet the City's reporting requirements and to be a useful tool for management. Accurately tracking the number and type of service requests received at the public counter will give management the ability to determine when and what type of staff resources should be available to serve the public counter. Most jurisdictions experience an increase in customer service volume around the traditional lunch time period when customers take a break from their regular jobs to try and complete a transaction.

Having adequate staff available to serve these specific customers during the lunch period would be of value to the City.

- 44. *Recommendation:* The Permit Service Center should reinstitute the use of the NEMO-Q or similar automated customer tracking system in order to better monitor customer wait and service times.**

Policies and Procedures

The recently installed (December 2015) Accela system has introduced considerable confusion among staff regarding the appropriate steps to follow in assisting customers in completing applications and performing tasks such as routing projects to other staff for their review. The new software has also introduced the opportunity for considerable inconsistencies in the process of calculating permit fees. Staff responsible for performing these input tasks have expressed considerable frustration with the Accela system and the lack of clear direction that is available in addressing the types of problems that routinely arise when processing permits. The logical approach to providing consistent and accurate direction to staff is to prepare and maintain a Policy and Procedures Manual. A well-prepared Manual for staff in the Permit Service Center would not only provide the detailed instruction necessary to provide consistent processing of permit applications in Accela but also contain information on the other various desk procedures that comprise the essence of employee's job responsibilities.

- 45. *Recommendation:* The Permit Service Center Coordinator should develop a Policies and Procedures Manual to assist staff in the proper use of the Accela permit system.**

The use of a Policies and Procedures Manual is typically a fundamental component of executing the duties assigned to counter and technical staff. Similarly, the need to provide consistency and uniformity in communicating with customers regarding technical code interpretations validates the need to create a Code Interpretation Manual. The purpose of a Code Interpretation Manual is to provide direction to both plans examiners and inspectors regarding how the Building Official has chosen to enforce various requirements. The Code adoption process provides considerable discretion to the Building Official on how the "intent" of the Code is to be enforced within the jurisdiction. When considerable time has been spent in evaluating and determining how the jurisdiction will enforce a specific provision in their adopted Code, that discussion should be memorialized and available to all affected staff as well as those customers that would be affected by the interpretation. We believe information such as formal code interpretations should be available to customers in an appropriate format that can be published on the City's website.

46. *Recommendation:* The Building Official should emphasize regularly training for all staff on previous and future code interpretations into a Code Interpretation Manual in order to promote staff consistency when interpreting the Codes.

Records Management

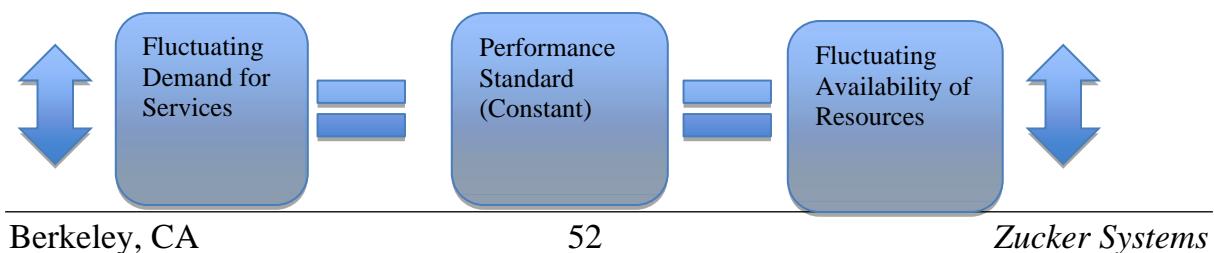
As the Department continues to move in the direction of offering more services to customers through the City's website portal, it is important to review the role of records management. The national trend is to make as much public information available to customers electronically as possible. This not only minimizes the amount of staff resources needed to retrieve and print public information requests but also helps better secure these records from potential loss. The employee surveys indicate that an enormous amount of staff time is currently being spent attempting to locate historical records requested by both customers and in-house staff. In some cases plan review times are extended due to the delays associated with locating previously approved plans for the site. Customers are frequently confronted with the message that staff was unable to locate the information they were requesting rather than a confident statement that the record does not exist. One of the services previously performed by the Department was an ongoing program to digitize and index both new and archived plans and documents. All new building plans are now being received in electronic format only.

47. *Recommendation:* The Department should complete the program to digitize all archived plans and documents.

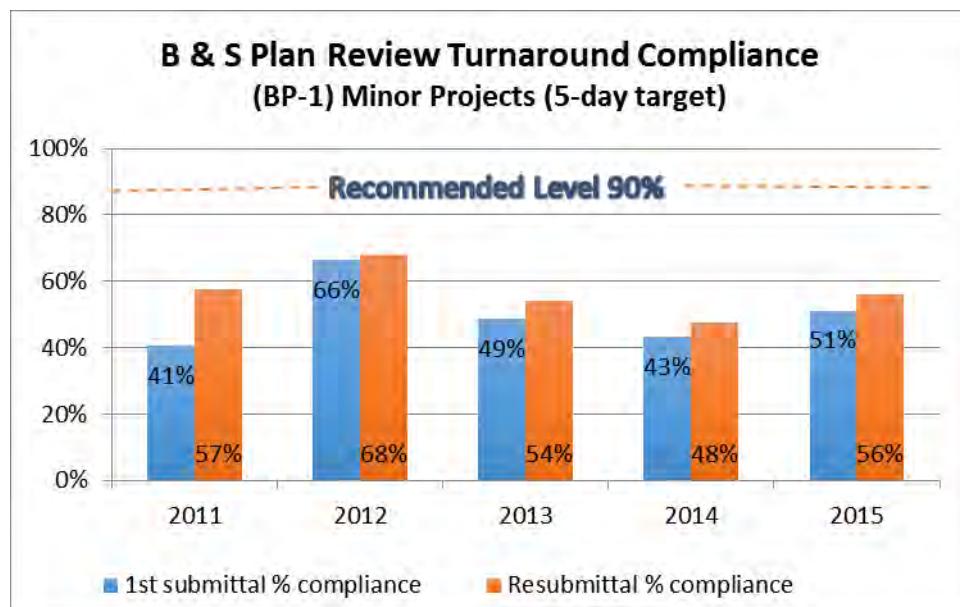
Staffing

We approach the process of determining appropriate staffing levels from the premise that the City needs to provide services at a level that meets the needs of the community. We believe the best way to achieve this goal is to establish performance standards and to closely monitor the City's ability to meet those standards. As suggested in Figure 7 below, the ability to meet specified performance standards is a function of both activity level (workload) and the resources (staffing) dedicated to perform the required task(s).

Figure 7
Relationship Between Demand and Resources



Since the partial implementation of the Accela system, beginning in December 2015, the Building and Safety Division has not been able to retrieve accurate information regarding the Plan Check Section's ability to meet the established performance standards identified in Table 8. Interviews with staff indicate that the actual turnaround times exceed the target by approximately three weeks, and there are approximately 240 projects in the "backlog" status. Much of the discussion explaining the cause of the plan review backlog focused on the additional time being absorbed by staff in processing the digital plans and tracking their status in the Accela system. While we believe the validity of some of this explanation, we don't entirely attribute the backlog to the new system. To confirm this belief, we accumulated five years of data from the time prior to the Accela implementation. The graphs below illustrate the Building and Safety's historical record for lack of achieving the stated performance



standards based on three different types of projects.

Figure 8
Plan Review Turnaround Times Compliance for Five-Day Projects

The category of minor projects (BP-1) was selected for review because it represents the category with the highest number of plan reviews. These types of projects are not complex and therefore rarely require intervention by the most highly qualified staff. In many jurisdictions, qualified permit technicians perform much of the plan review for these types of projects with technical support as needed.

As can be seen from the graph above, to suggest that the primary reason that the Plan Check Section is not meeting the target turnaround times is due to the Accela

implementation is not entirely valid. It is clear that the Section has not consistently achieved the performance standards for many years.

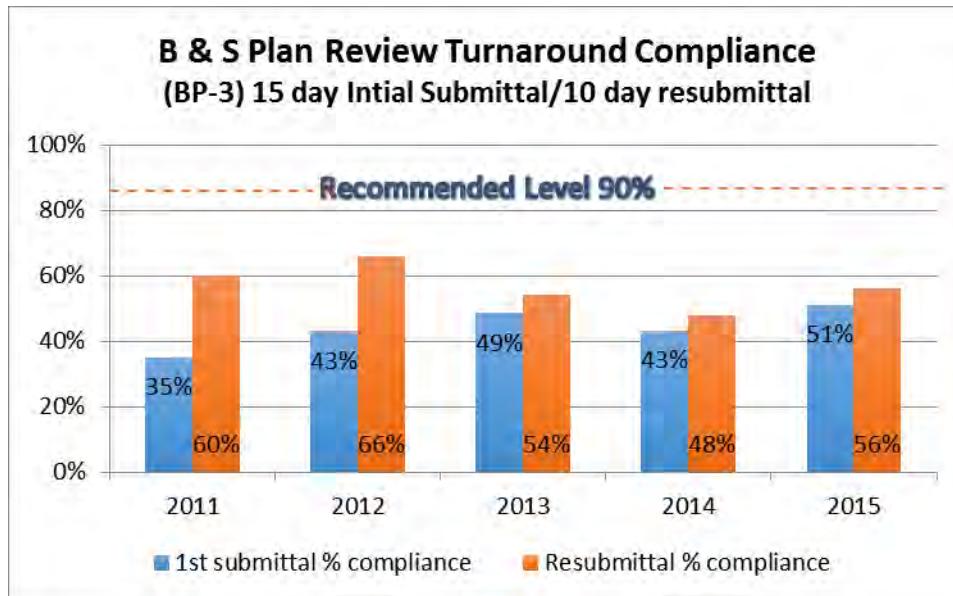
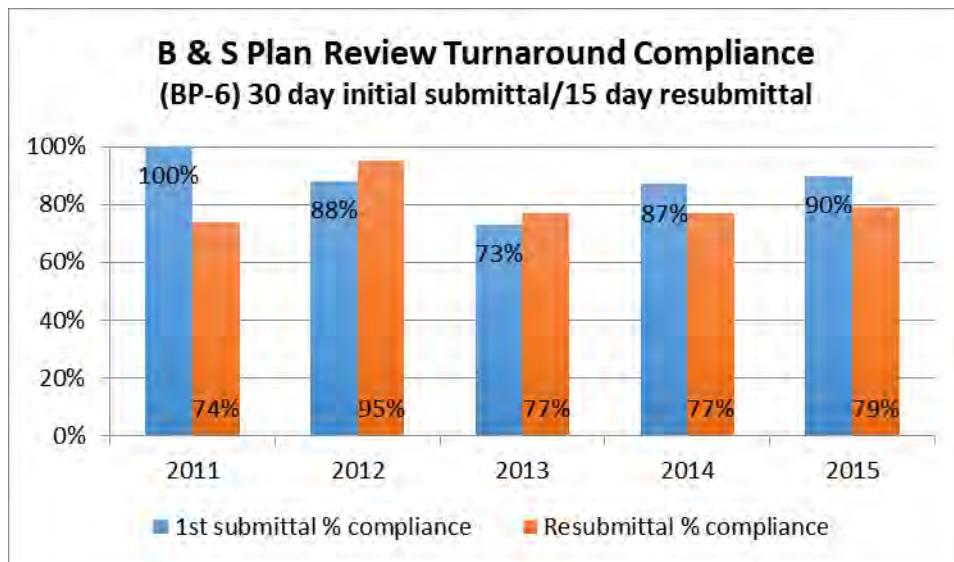


Figure 9
Plan Review Turnaround Times Compliance for 15-Day Projects

Figure 9 above illustrates the Plan Check Section's performance in meeting the target turnaround times for more complex projects (BP-3). These projects typically require more highly qualified plans examiners and frequently result in the need to perform multiple rechecks. Our recommendations state that each resubmittal should be given a turnaround time equal to one-half of the previous target time. For this category, we would recommend that the first resubmittal be reviewed within eight working days rather than the 10-working day target adopted by the Section. While the data we were provided did not distinguish between the review times for resubmittals beyond the first resubmittal, it is reasonable to assume they were included in the results shown in this graph.

Figure 10
Plan Review Turnaround Times Compliance for 30-Day Projects



The graph above (Figure 10) measuring compliance for 30-day turnaround shows a significant variation from the two previous graphs. These types of projects are typically large and complex. The distinguishing factor that explains the much higher level of compliance with the turnaround target is that most of these projects are sent to outside consultants for review. Based on the level of highly qualified plan check staff available to them as well as the need to comply with the terms of their contractual arrangement with the City, performance in this category has been consistently high.

What we conclude from this study is that the Building and Safety Division has been unable to comply with the City's established performance standards for at least the last six years. The notable exception to this statement applies to those large projects that have traditionally been assigned to outside plan review consultants. It appears to us that there is an insufficient number of qualified staff to perform the volume of work that would be necessary to consistently comply with the currently established performance standards for plan review turnaround times. Implementation of our recommendations for reduced turnaround times, particularly for repetitive resubmittals, will represent an even greater challenge.

Establishing the appropriate level of staffing to address the workload involves measuring the available quantity of staff resources (hours) and comparing that volume with the quantity of work to be accomplished. As indicated in Table 8, the Building Official has provided an estimate of the plan check time that will be required to complete the reviews based on the projects complexity. We commend the Building Official for at least attempting to quantify the workload in this manner. With the complete implementation of the Accela system it will be possible to refine these

numbers based on tracking the actual amount of time staff spends performing the various processes that must be completed prior to approving a development project. This additional information will provide data that can be used to more accurately assess the current workload and thereby determine the relationship between the workload and the available resources (staffing). Comparing the workload in hours against the available staff hours (shown in Table 2) and the number of staff available to perform the various tasks will help identify the performance standard (turnaround time) that can be achieved with the current staffing level. Once this relationship has been established, management can then measure fluctuations in workload as a function of the level of additional staffing that would be needed to match the new workload.

The above approach to determining the relationship between workload and staffing assumes that the existing backlog of projects (240 projects) is eliminated through the temporary use of additional resources.

The difficulties the Building and Safety Division has experienced in meeting its target turnaround times for most projects causes us to believe additional resources are needed to perform both minor and more complex projects. Our general philosophy regarding appropriate staffing levels is to identify a baseline workload that can be adequately served by full-time staff and to supplement this staffing level with temporary resources when the City experiences peaks in construction activity. Such additional resources typically include staff overtime, obtaining temporary in-house staffing, and increased use of outside consultant services. Other jurisdictions have obtained temporary in-house staffing by reaching out to recently retired employees from the jurisdiction or neighboring jurisdictions. These temporary employees must be fully qualified based on their experience and recent knowledge of Code requirements.

- 48. *Recommendation:*** The Building and Safety Division should anticipate using the workload tracking capabilities of the Accela system to establish workload units.
- 49. *Recommendation:*** The Building and Safety Division should utilize overtime, temporary employees and outside consultants to immediately eliminate the current plan check backlog.
- 50. *Recommendation:*** The Building Official should begin assigning minor plan reviews to the PSC Plans Examiner as a means of freeing up plan check resources to work on more complex reviews.

51. *Recommendation:* The Building Official should expand the use of outside consultants for major projects and to temporarily address noncompliance with turnaround time performance standards.

Determining the appropriate staffing level for support at the Permit Service Center is problematic due to the lack of detailed data tracking staff activities. Similar to the Plan Check Section, the PSC will benefit from having more detailed information about the specific staff activities that represent the overall workload.

52. *Recommendation:* The Permit Service Center Coordinator should direct staff to utilize the activity tracking capabilities of the Accela system to provide data that will support staffing adjustments to match workload fluctuations.

It is apparent from the excessive average customer wait times that significant improvements are needed. While we concur, that additional staffing may be needed to support the counter, the number of additional positions is highly dependent on the benefits to be realized by full implementation of the Accela system. As an example, in other jurisdictions that have successfully implemented systems like Accela, there has been a dramatic decrease in the customer wait time because many customers could obtain their minor permits online. Until these new system capabilities have been fully implemented and customers have had an opportunity to utilize the new system, it is not possible to determine how much of the current workload for counter staff will be eliminated. We therefore recommend an incremental approach to adding staff to the Permit Service Center, including the use of temporary employees until data is available to support the need for full-time staff.

53. *Recommendation:* The Building Official should request additional temporary staffing for the Permit Service Center while data is being collected from the Accela and the NEMO-Q systems that could justify additional full-time staff.

We have recommended that the Building Official explore ways for the Permit Service Center Plans Examiner and the Permit Specialists to take a more comprehensive role in approving minor projects so that existing plan review resources can be deployed on more complex projects. If this program is successful, then additional counter support staff should be hired to back-fill for those positions that would be supporting more of the plan review function.

54. *Recommendation:* The Building Official should backfill the Permit Service Center staffing to compensate for any partial or full positions that are reassigned to support the plan review process.

Training

The Building Official responsible for managing both the Plan Check Section and the Permit Service Center is recognized in the region as possessing a high level of technical expertise and has been a strong advocate for providing staff appropriate training on technical codes. The Building Official has taken steps to ensure that sufficient budget has been allocated and staff has been authorized sufficient time to attend local training. Under State Law, those employees performing inspection and plan review related duties must demonstrate competency to perform those assigned duties. One of the ways that employees demonstrate their qualifications to perform their assigned duties is by obtaining nationally recognized certifications in their specific field of expertise. Most of the staff in the Building and Safety Division possess such certification(s). These certifications are required to be periodically renewed through a process that confirms that ongoing training (CEUs) have been obtained. The Division does not currently track the status of each employee's certifications, including their progress in obtaining the required CEUs. We suggest that management establish a tracking system for this information.

55. *Recommendation:* The Building Official should establish a tracking system to confirm employees are maintaining their required certification(s).

One of the characteristics we observed during our time in Berkeley is the high number of very well educated residents in the area. We also witnessed this phenomenon during our recent study of Austin, Texas. One of the characteristics that seems common to both communities is the overwhelming tendency of customers to aggressively challenge the decisions made by the City's professional staff, frequently in a negative fashion. While this is unlikely to substantially change soon, the City might be able to diffuse some of this behavior by taking steps to highlight the fact that the staff serving them are highly qualified to provide those services based on the criteria established by the nationally recognized professional associations. Many jurisdictions have chosen to post copies of the various certifications obtained by staff in their public lobby as a means of demonstrating their commitment to provide a professional level of service.

56. *Recommendation:* The Department should highlight the professional qualifications of staff by posting copies of certifications in an area visible to the public.

Effective January 1, 2017 the newest edition of the State Codes will become enforceable at the local jurisdiction level. Prior to this date the City must take appropriate steps to train both staff and industry on the changes to the Codes that impact design and enforcement. The Building Official has suggested a process that would designate individual employees to become experts in specific areas of the

Codes so they can facilitate not only the upcoming necessary training process but also act as an initial screening mechanism for future requests to approve the use of alternate methods and/or materials. We support the concept of recognizing key staff as experts in their field as a means of distributing the burden of providing in-house ongoing training and as a way of potentially identifying those employees that might qualify for a supervisory role in the future.

57. *Recommendation:* The Building Official should continue to pursue a goal of establishing a team of Code-specific technical experts.

Both the Building Plan Check Section and the Permit Service Center hold weekly staff meetings to provide updates to staff and to provide training on specific procedures or code interpretations. Meeting agendas are prepared and the decisions made during these meetings are recorded and available to staff for future reference. We strongly support this program to allow both staff and supervisors to be aware of issues originating at the staff level as well as an opportunity to communicate new direction coming from management. A potential missing link in this communication is the lack of monitoring of those attending the training session. Supervisors should monitor attendance at these sessions so that employees missing the session can be briefed on the decisions made during the meeting and the training that was provided. Customers depend on staff's consistent interpretation of policies, procedures and interpretations; when these are changed during staff meetings, it is important that all staff are made aware of the changes.

58. *Recommendation:* The Supervisors for the Plan Check Section and the Permit Service Center should closely monitor attendance at their weekly training sessions to confirm all employees are aware of changes to policies, procedures and/or interpretations.

The need for ongoing training exists not only for front-line staff but also those in supervisory and management positions. We believe adequate attention has been given to providing these positions with technical training on subjects appropriate for their positions; however, some benefits can be gained through greater association with their peers. Currently, only the Building Official actively participates with the local International Code Council Chapters as a means of promoting consistency within the region and to gain insights on how other jurisdictions may be addressing challenges unique to building department operations. We believe there are benefits to expanding the number of staff that can be authorized to attend these periodic meetings and would therefore suggest that the Assistant Building Official be encouraged to also attend these meetings.

59. *Recommendation:* The Building Official should authorize the Assistant Building Official to periodically attend meetings of the regional Building Officials Association.

E. PROCESS ISSUES

Business License Program

The City's effort to install the Accela system to issue business licenses has been unsuccessful to date. Staff has generated a lengthy list of functions that are not properly operating, thus making the information regarding the system unreliable. We think this is an important component of the overall permit process because staff is required to confirm that all applicants possess the required business license prior to permit issuance. The problems encountered under the current system create significant frustration and delays for both customers and staff. We recommend resources be allocated to making the Accela system fully capable of issuing business licenses, including online as soon as possible.

60. *Recommendation:* The Department should prioritize efforts to improve the performance of the Accela Business License Module to enhance revenue collection and improve data accuracy.

Electronic Plan Review

We support the efforts that the Building and Safety Division has made to implement a program to receive and review all plans in a digital format. We are also aware that this program has suffered some setbacks due to the lack of operability of the original Accela EPC digital plan review program that was installed in conjunction with the Accela system implementation. Rather than having a program that is fully integrated with the Accela system, the Division was forced to implement a more standalone approach using an Adobe product that reads and allows markup of the digital plans. Feedback from both staff and customers indicates that the current system is still flawed based on the difficulties that customers experience in getting their digital plans loaded into the system and their inability to retrieve the plans when notified that the corrections are ready.

The overall goal of an electronic plan review program is to allow customers to load their plans from a remote location such as their home or office. The current program requires customers to physically carry a digital thumb drive containing their plans into the Permit Service Center where a Plans Examiner or Sr. Permit Specialist will load the data into the City's system following a specific set of instructions. Staff reports that this process, which should only take a few minutes, often takes several hours to complete. Staff must frequently ask for additional technical assistance from IT staff to

resolve the various incompatibility issues that arise when attempting to load the documents. A more detailed explanation of this process can be found in the Technology section of this report. The goal of the program should be to allow customers to load the documents remotely through a virtually seamless integration with the City's system. While the current use of Adobe Professional is allowing staff to function at a minimal level, management should continue to investigate the availability of a comprehensive software product that fully addresses the needs of plans examiners and customers and is compatible with the Accela program.

61. *Recommendation:* The Building Official should continue to investigate the purchase of a comprehensive digital plan review program that is integrated with Accela and allows remote data submittal.

Electronic Plan Routing

One of the primary benefits of a computer based permit tracking system is the ability for staff to automate the process of alerting all required participants of need to review a specific permit application and plans. In the Accela system this feature is referred to as “routing” the project. As configured in most jurisdictions, this function is initiated automatically when staff determines the scope and type of project. Unfortunately, the installation of the Accela system in Berkeley did not identify this feature to be automatically initiated. Consequently, staff must initiate this feature manually for every permit that requires routing. Staff interviews indicated that this extra step in the process of initiating a permit application could easily be overlooked. In addition, the criteria for determining which other participants should be reviewing the project is not well understood by all staff and is not contained in a Policy and Procedures Manual.

62. *Recommendation:* The Accela system should be configured to initiate routing automatically upon proper initiation of the permit application.

Fire Department Review

Similar to the role played by designated staff in Public Works, the Fire Marshal and his very small staff have a role in reviewing and approving building projects that meet specified criteria. Also like Public Works, the staff from the Fire Prevention Bureau did not choose to actively participate in the initial development and implementation of the Accela system. Utilizing Accela as a communication tool is even more critical for the Fire Prevention staff because they are not always physically collocated adjacent to the Permit Service Center. Consequently, it is even more likely that projects requiring their review may be missed entirely or caught at the last moment in the review process. The current process for confirming Fire approval for a plan review involves a telephone call from Fire staff to a designated person in PSC. There is no backup plan

in place if the PSC person is unavailable. This situation is a clear example of a problem that can be resolved by initiating steps to allow the appropriate staff in Fire to access and post their plan review approvals or denials directly into the Accela system.

63. *Recommendation:* The Fire Marshal and designated staff in the Fire Prevention Bureau should be granted access to the Accela system for the purpose of posting building plan review status.

Fire staff's use of the Accela system will also enable the City to provide a more comprehensive tracking and reporting of the ability of the City to comply with the plan review turnaround times currently established by Building and Safety. Fire's use of the system to time track specific activities will also help create a database that can be used to justify future staffing levels and periodic adjustments to the fee schedules.

64. *Recommendation:* The Fire Marshal should commit to using the Accela system to track and report on their compliance with plan review turnaround time performance standards.

During a recent Permit Service Center staff meeting it was announced that the Fire Marshal had decided to reduce the list of project types that they would be reviewing in the future. This was partially in response to the limited level of Fire staff available to perform the previously required plan reviews along with the expectation that existing plan review staff could adequately provide the level of review appropriate for these types of projects. We commend the Fire Marshal for being willing to undertake such a review and for making a decision that will help streamline the review process.

Minimum Submittal Requirements

A common complaint we observed in the employee surveys was the Department's unwillingness to establish and enforce a minimum level of quality that all submittals must meet before they will be accepted for review. We have witnessed this in many jurisdictions that struggle with consistently meeting established turnaround times for plan review. What they seem to not recognize is that the staff's willingness to accept incomplete applications guarantees that subsequent resubmittals will be required and that these additional submittals result in a cumulative drain on the Department's resources and ultimately leads to conflict with the customer. In addition, this willingness to appease poorly prepared customers eventually results in punishing those other applicants that were properly prepared because the staff resources they need are not available.

The Building and Safety Division has a plan submittal guide (dated 2011) available online; however, the practice has been to not strictly require adherence to these

requirements to qualify for acceptance of the application. In the interest of ultimately streamlining the process, achieving better plan review turnaround times, and maintaining fairness among all applicants, we recommend the Department strictly enforce a minimum standard for all application submittals. When a customer's application and plans do not meet the minimum criteria, they should be provided with a copy of the minimum submittal list that has been highlighted to identify the missing information. This information should also be documented in the Accela system for the application in question so that a history of communications is available to all staff that may subsequently work on the proposed project.

65. *Recommendation:* The Building Official should direct staff to review and update as appropriate a minimum submittal checklist to be used to qualify applications for submittal.

66. *Recommendation:* When an application is incomplete, staff should highlight those missing items on a copy of the checklist provided to the applicant, those items should be documented in Accela and the application should be returned to the applicant.

A similar problem exists when an applicant repeatedly fails to respond to all of the corrections previously identified in the correction letters provided by plan review staff. This presents not only an additional burden to plan review staff, but also to the administrative staff that must process these resubmittals. Other jurisdictions have stemmed the frequency of this type of drain on staff resources by implementing policies to charge extra plan review fees for subsequent reviews and to mandate that the applicant establish an appointment with the plans examiner to confirm all corrections have been addressed before the city will accept the plans for resubmittal. We recommend the Building Official mandate that a plan check appointment be established to review resubmittals after a second recheck. The time consumed during the appointment and any additional review of the plans should be charged at an hourly rate that includes plans examiner review and administrative processing time.

67. *Recommendation:* The Building Official should implement a program to reduce the frequency of incomplete resubmittals by charging additional plan review fees and mandating an appointment with the plans examiner before plans will be accepted.

Public Works Reviews

Many projects submitted for review and approval must also be reviewed by staff from the Public Works Department, including some projects that require review by Transportation Engineering. Currently 3 FTEs have been assigned from Public Works

– Engineering to provide support to the development process. We endorse the decision to have these positions physically located adjacent to the Permit Service Center as a mean of enhancing communication between the groups. However, during our interviews with staff it became apparent that the actual reporting hierarchy was not well understood by the participants in the program. We encourage the co-location of staff from different Departments; however, we generally support maintaining a strong reporting arrangement between the assigned individuals and the Department of their origin. This arrangement helps ensure that such employees continue to receive the technical training and support they need to represent the interests of their Department. An organization chart should be developed that clarifies this reporting arrangement.

68. *Recommendation:* Deputy Director of Public Works should work with the Building Official to develop an organization chart that clearly depicts the reporting arrangement for Public Works staff co-located in the Permit Service Center.

During the initial discussion phase of transitioning from the previously used HTE permitting system to the Accela system the Public Works Department was not an active participant. As a result, the Department was not included in the initial implementation phase. We believe this is unfortunate because one of the primary advantages of employing a computer based permit tracking systems is the ability to fully integrate the activities of all of the participants in the review and approval process. Some of the problems reported during our interviews are directly attributable to the lack of coordination between those groups using the Accela system and nonusers. It is reported that, frequently, projects that need to be reviewed by an individual in Public Works do not get sent to them as part of the normal routing notification. As a result, the project may either fail to get the appropriate review or the Public Works staff member is asked to conduct the review as a last-minute emergency. In either scenario, the project does not get the level of quality review appropriate for the situation. We strongly recommend that appropriate staff from Public Works Department take steps to become integrated in to the Accela system for project tracking.

69. *Recommendation:* The Deputy Director of Public Works should direct staff assigned to the PSC to initiate steps to become integrated into the Accela system for permit tracking purposes.

One of the greatest benefits to be derived from the Accela system, once it is fully implemented, is the ability to accurately report on the City's ability to meet established performance standards. The Building and Safety Division has established a set of performance standards for plan review turnaround times that varies based on

the complexity of the project. We recommend that all participating Departments establish and track their ability to comply with these performance standards. It does little benefit for the customer to have one reviewing department meeting the performance standard while other reviewing participants are unaware of the standard.

70. *Recommendation:* The Public Works Department should commit to using the Accela system to track and report on their compliance with plan review turnaround time performance standards.

VI. LAND USE PLANNING DIVISION - POLICY GROUP

A. OVERVIEW

The Land Use Policy Group consists of 10 FTE positions. The organization chart is presented in the next Chapter of this report. The Group is responsible for maintaining the General Plan; conducting small area, corridor, and neighborhood planning studies; drafting targeted zoning ordinance amendments; coordinating with outside jurisdiction and regional planning agencies; and similar responsibilities that address long-range plan and policy issues. One of the more significant responsibilities of the group is to conduct a variety of special research studies in response to City Council or Planning Commission referrals.

The group appears to be heavily loaded with targeted code amendment projects and PC referral studies--to the point that they may be preempting the group's attention away from some of the more strategic and long-range planning issues facing the City. Some of these issues will be discussed in more detail below.

B. GENERAL PLAN

Berkeley's adopted General Plan was drafted in 1999 and, with the exception of the more recently updated Housing Element, was adopted in 2001. It consists of 11 elements:

- Land Use*
- Transportation*
- Housing (updated in 2015 to comply with state requirements) *
- Disaster Preparedness & Safety*
- Open Space & Recreation*
- Environmental Management*
- Economic Development & Employment
- Urban Design & Preservation
- Citizen Participation
- Implementation

(Elements marked with asterisks * are state mandated)

Each plan element consists of a series of discussions and evaluations of specific topics related to the long-range development of the City. Following each topical discussion

is a listing of objective and subordinate policy statements, followed by a varying number of proposed action statements for each of the policy statements. As would be expected, there is a significant amount of correlation between the various plan elements (*e.g.*, Land Use and Transportation), because many of the planning issues are interdependent. All plan elements have been converted into HTML and are presented on the City's website. Hardcopy versions of the plan elements are out of print but are available for viewing at the Department of Planning and Development offices and Public Library.

Policy Group staff questionnaire responses and interviews expressed concern that the adopted plan is outdated and needs to be updated. We agree with these observations. Discussions with other staff indicated that this opinion is not unanimous: that most of the objective and policy statements forwarded in the General Plan are still valid and that other, more recently prepared and adopted smaller area or neighborhood plans, corridor plans, and special studies sufficiently take the place of the General Plan for their respective areas of concentration. While this argument is valid, it still does not justify abstaining from a General Plan update:

- Many of the objective, policy, and recommended action statements in the General Plan actually *are* obsolete, having already been implemented.
- The City is facing new long-range development issues (or needs to revisit old issues), which might be best addressed with the community by proceeding through another general planning cycle. Comprehensive plans generally should be updated every ten years (and some states even require a five-year plan update cycle). With normal turnover of active citizens, elected and appointed officials, and planning staff, the general planning process allows stakeholders to renew "ownership" of the plan.
- The relationship between the General Plan and the array of more recently adopted specialized plans can become confusing, at best, and sometimes inconsistent and even contradictory. It is better to turn the relationship around, where the General Plan serves as an "umbrella" document providing broader objectives and policies, then drilling down by reference to those more specific plans and studies.
- Some of the adopted General Plan elements are not as outdated as others and will require less effort to update, most likely with little controversy.

In order to spread out workload and expenditures, some communities have implemented a cycled plan update regimen where, for instance, one plan element is updated each year. This allows for better management of internal staff assignments. It also indirectly results in the establishment of a consistent, continuing program for reaching out to the community on long-range issues, rather than doing it all at once every ten years in a concentrated effort.

71. *Recommendation:* The Department of Planning and Development should begin preparations to update the General Plan, beginning with an overview analysis of each element leading to creation of a work program for drafting, public input, and adoption.

Interviews with several staff members indicated that the original word processing (digitized) files for the 2001 General Plan elements had been lost and that the Department was issuing a contract to retype the entire document. Undertaking this effort may be unnecessary, as the entire General Plan is on the City's website in HTML format and can readily be converted back into Microsoft Word with little time or expense.

72. *Recommendation:* Reevaluate the need to retype the General Plan elements into digital format, as they already exist in HTML form on the City's website.

There appears to be minor confusion or contradictions on the Department's web pages regarding the updates to the Housing Element. A link to the 2010 update is listed on the General Plan web page, while the downloadable (352 page) PDF file for the 2015 Housing Element update appears on the "Area Plans" web page where its link is mixed in with all the small area plans and specialized studies. This should be fixed.

73. *Recommendation:* Move the link for the 2015 Housing Element update to the General Plan web page. If appropriate, remove the link to the 2010 Housing Element update.

C. REFERRALS FROM CITY COUNCIL AND COMMISSIONS

As with most jurisdictions at all levels of government, City staff must be responsive to the immediate needs of elected officials' for answers to specific questions, investigations on focused issues, and legislative changes in response to current issues. These requests (or "referrals") appear to take precedence over most other activities--to the point of being disruptive. In this past year, there have been approximately 25 such referrals directed to the Department, and most of these have been assigned to the Policy Group. This is a serious issue:

- The immediacy of referrals hinders the ability for PD administrators to determine needed staff levels and balance individual workloads.
- They preempt work efforts on ongoing planning projects, resulting in delays to their completion. Since community groups or citizens are often involved in these projects, such delays can erode public confidence in staff's competency and credibility.

- Many of these referrals are vaguely expressed and require "fleshing out" before they can be effectively addressed.
- Many of these referrals include an explicit or implicit indication of the desired outcome of the required analysis or study. This can present an ethical challenge to the individuals assigned to respond.
- Most referrals received by Planning eventually prescribe or end up with revisions to the Zoning Ordinance. The resulting frequency of incremental zoning amendments has contributed to the code's complexity. Indeed, there will be few long-lasting benefits obtained from the impending consultant contract to evaluate and simplify the code if this practice continues after the current zoning update study is implemented.

74. Recommendation: Coordinate with the City Manager's Office to develop a methodology and documented procedures to evaluate, scope, estimate, and budget the staff requirements to respond to City Council and Commission mandates. Establish work programs with task budgets, milestones, and deliverable dates for each mandate. Request City Council signoff approval on all mandates requiring more than 100 hours' staff time.

75. Recommendation: Using the existing FUNDS software, future ERP system, or supplemental spreadsheets (if necessary); establish procedures to track and report on time spent on each City Council or Commission mandate.

D. STATE REGULATIONS BRIEFINGS

Many of the City's policies and regulations are subject to the California state legislation, administrative policies, and other limitations. Interviews with some Policy Group staff members expressed concern regarding their lack of familiarity with the latest developments in the ever-changing California legislative and administrative law environment. This results in staff undertaking their own legal reviews of state proceedings, which is inefficient and error prone.

76. Recommendation: Coordinate with the City Attorney to establish a regular quarterly or semiannual program to brief PD Policy Group and other staff on recent changes and emerging trends in state legislation or policies that could potentially affect their own planning and code drafting efforts.

E. WORK PLANS

The preparation of annual (or longer) work plans is a Best Practice. It allows Department administrators and elected officials to attain agreement on what is to be

accomplished by staff in a given year along with the corresponding resources that need to be budgeted. The work plan should identify the various project and task initiatives to be accomplished by priority, along with the corresponding labor requirements, including any new or temporary staff. It should also identify the staff person responsible and budget resources needed. Quarterly milestones should be identified and tracked for each initiative.

The Group does not currently prepare an annual work plan. Such a plan could outline key policy initiatives that need to be met, such as new or updated planning studies, performance standards, zoning ordinance amendments, and public outreach strategies, etc. The high intensity of work required to address City Council referrals, along with the referrals' unpredictable nature, appears to be hindering efforts to develop longer-term work plans.

77. *Recommendation:* The Land Use Division should create an Annual Work Plan that includes all annual work initiatives. These initiatives should include, to the best extent possible, the work required for City Council and Commission referrals.

F. ZONING ORDINANCE

Ordinance Needs

Aside from the Accela system implementation issues, the most frequent concerns expressed in staff questionnaires and confirmed by the interviews was with the City's Zoning Ordinance. As a result from its many piecemeal amendments, it was determined as being so incomprehensible that there are concerns regarding the consistency of its administration. The current Ordinance was adopted in 1999 and has been amended many times. Even with the ongoing legal services of the City's Seattle-based codifier to maintain a reasonable degree of consistency, the code's complexity continues to increase.

As a measure to simplify the Zoning Ordinance and consolidate its numerous previous incremental amendments, the Department of Planning and Development has recently selected an expert zoning consultant to examine the ordinance and recommend potential changes. The selected firm will perform a detailed evaluation of the Ordinance's provisions and provide a comprehensive set of recommended text changes that will correct any grammatical and technical errors, reduce its complexity, eliminate possible conflicts or contradictions, and align its provisions with current policies regarding neighborhood protection and growth/redevelopment policies. When implemented, these proposed changes should result in a cleaner, more simplified zoning ordinance that is easier to maintain and administer.

It is important that, once the recommended changes are adopted, the updated Zoning Ordinance will be insulated from future rounds of continuous change, however well intended. Many of our current or past clients have established, for practical administrative purposes, limitations on the number of zoning ordinance amendments enacted per year. Limiting the frequency of code amendments to quarterly or semiannually benefits both staff and public. Staff can determine its resource requirements better, and frequent users of the ordinance can adjust more easily to changes in its provisions.

78. *Recommendation:* Working with the selected consulting firm, proceed with intended efforts to simplify the zoning ordinance and resolve any of its contradictory or conflicting provisions.

79. *Recommendation:* Establish a standard calendar interval for zoning ordinance updates.

Zoning Administrator Role

Effective zoning administration requires clear lines of responsibility and communication within a planning organization. Our analysis of the Department's organizational structure and interviews indicated that there is no designated Zoning Administrator position, where the "buck stops" with respect to zoning administration and code interpretations.

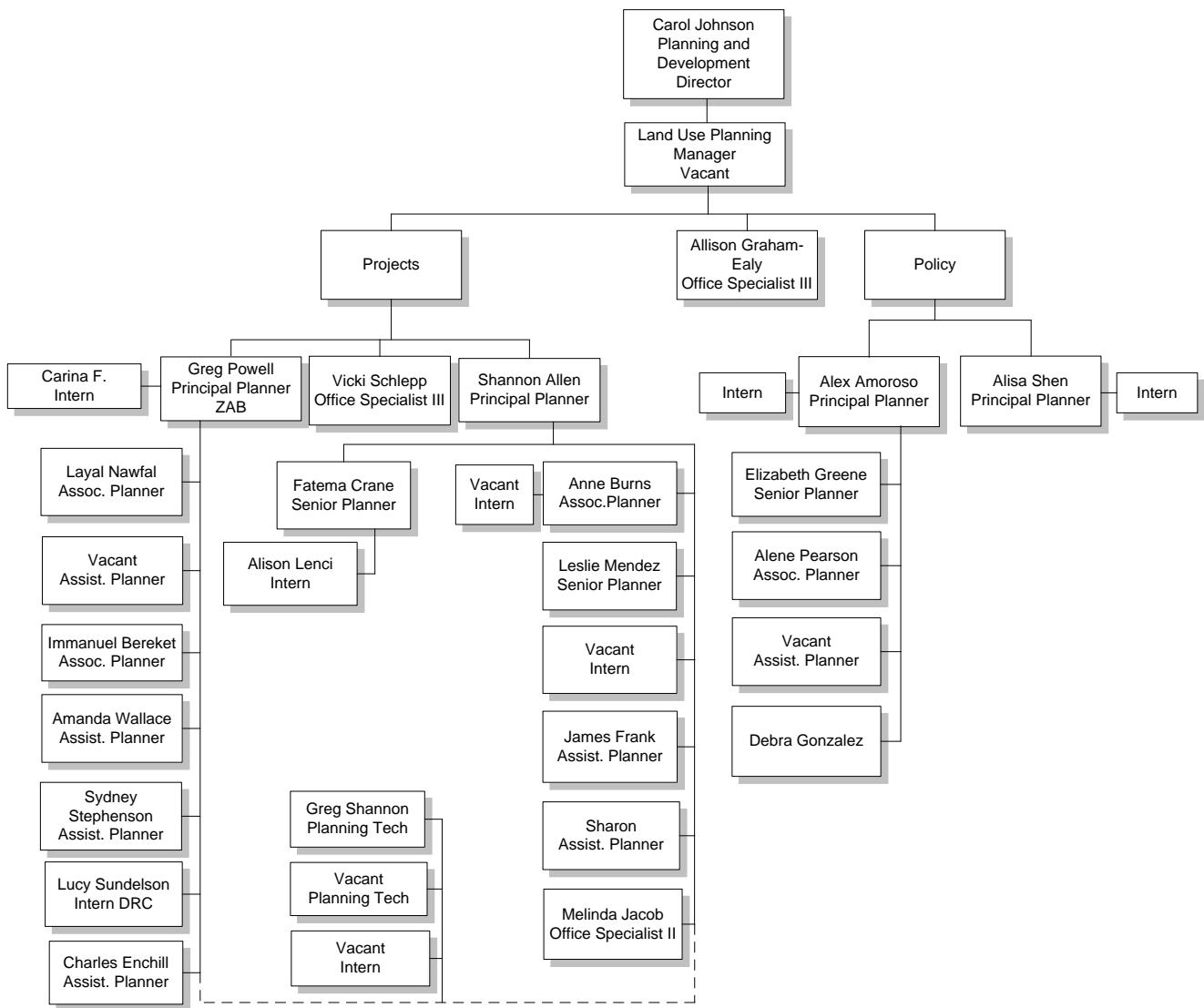
80. *Recommendation:* Establish and staff a designated Zoning Administrator position with responsibilities to administer, enforce the zoning ordinance and provide administrative interpretations of the code when required.

VII. LAND USE PLANNING DIVISION - PROJECTS SECTION

A. ORGANIZATION

The Land Use Planning Division consists of 20.95 FTEs organized in four section that report to a Land Use Planning Manager. During this study, we had difficulty in determining the actual organization of the Division. We were originally given an organization chart that proved inaccurate. We then attempted to draw a chart based on the employee surveys, but that also proved to be inaccurate. Finally, one of the Principal Planners provided the chart shown in Figure 11. Some of the confusion has been the result of a new Planning and Development Director with suggestions for reorganizing. It can be expected that additional changes are likely in the future, particularly after the hiring of a new Land Use Manager.

Figure 11
Land Use Planning Division Organization



Files: We did not have time to review the file system, but per staff questionnaires, files are not well organized and should be digitized. This issue also relates to how well the Division ends up using Accela.

81. *Recommendation: Hire special staff to clean up and rationalize the land use files.*

Land Use Planning Manager: Lack of clarity in relation to the Division's organization can lead to a variety of communication, silos, and process confusion. Some of this may be due to the Land Use Planning Manager position's vacancy,

which is currently being filled on a rotating basis. A permanent manager is not likely to be hired and in place before February of next year. In the meantime, we suggest that a non-rotating acting manager for the Division be appointed, and an early task should be to develop a clear organization chart with supervisor and manager assignments.

82. *Recommendation:* Appoint a non-rotating acting manager of the Land Use Planning Division and develop a clear organization chart.

Principal Planners: The development processing is shared by two Principal Planners who supervise 11 planners (1 vacant), 2 Planning Techs (1 vacant), and 5 Interns (3 vacant). The Principal Planners meet twice a week to assign projects and coordinate activity. Having two managers supervising projects can lead to inconsistency in processes. While one supervisor would be preferable, 15 staff are too many for one supervisor. An alternative would be to have one Principal Planner manage two groups of staff, each managed by a Senior Planner. Currently Senior Planners are not authorized to supervise staff though, this may soon be changed. In any case, no changes should be made to the way the Division is organized until the new Land Use Planning Manager is in place.

The two Principal Planners that manage the development projects have been handling a few use permits themselves. This takes away from needs for more staff training, developing of policy and procedures manuals, interpretation manuals, and mentoring.

83. *Recommendation:* The two Principal Planners should not directly manage projects and should focus on staff management needs.

Policies and Procedures Manual (PPM)

Land Use Planning Division staff said that the Division does not yet have an adopted policies and procedures manual that documents internal policies or substantive policies for the Division as a whole.

It is a Best Practice to formally outline various policies in a manual so that staff had clear direction. For example, it was reported that there is a need to establish community participation/neighborhood meeting policies and protocols so that staff and applicants understand when community participation is needed, when staff is required to attend, who is responsible for leading meetings, how meetings should be documented and, incorporated into reports and presentations, how staff should balance community input with the applicant's request, etc. Currently, the process is *ad hoc* and inconsistent, which creates unnecessary pressure and confusion for staff, applicants, and community participants.

We believe that PPMs are an important management tool that help create a consistent decision-making framework for line staff to guide them in everyday decision making. PPMs can also be an effective instrument to help train new staff.

The Director should create a policy and procedures manual, which outlines:

- Procedures for managing and processing each type of application;
- File setup, maintenance and closure responsibilities;
- Public participation;
- Public notice;
- A formal voicemail and email response policy;
- Application intake protocols;
- Rejection of incomplete submittals;
- Training policies;
- Customer service practices and standards;
- Performance standards;
- Other policies and procedures to ensure that all line staff have a clear and consistent understanding of performance expectations including work quality, quantity, accountability, professional demeanor, customer service, etc.

84. *Recommendation:* The Director should create a comprehensive policy and procedures manual as described and include the items outlined above.

B. OVERVIEW - BOARDS, COMMISSIONS, COMMITTEES

Three boards and commissions (Landmarks Commission, Planning Commission, Zoning Adjustments Board) and one committee (Design Review Committee) are involved in the Berkeley planning and development process.

- **Design Review Committee:** A Design Review Committee is advisory to the ZAB.
- **Landmarks Preservation Commission:** There is a Landmarks Preservation Commission, which is a decision-making body.
- **Planning Commission:** The Planning Commission focuses almost exclusively on policy issues, such as the General Plan's Housing Element and amendments, the Zoning Ordinance and Zoning Map, and subdivision maps. The Commission meets the 2nd and 4th Wednesdays of each month. Copies of agendas, staff reports, and minutes are available online and through the Land Use Planning Division.

- **Zoning Adjustments Board:** Berkeley's development approval process is somewhat unique in that all project approvals are under the purview of the Zoning Adjustments Board (ZAB) rather than the Planning Commission, including use permits, appeals of administrative use permits, and variances.

Expanded descriptions and specific functions and processes are described below.

C. PROJECT NUMBERS/PROCESS SUMMARY AND TYPES

Activity Levels and Types

There are three types of zoning approvals plus a Landmark Preservation review and Design Review for some projects:

1. Zoning Certificates (ZC)
2. Administrative Use Permits (AUP)
3. Use Permit (UP)
4. Landmark Preservation (LPC)
5. Design Review (DRC)

Some processes are completed by staff, others require a Pre-Application conference and inter-department review, while others may also require review and approval from the Design Review Committee, Landmarks Preservation Commission, or Zoning Adjustments Board. Most projects are exempt from the California Environmental Quality Act (CEQA), and there have been only one or two EIRs per year and only a few Negative Declarations. When needed, these are handled by the ZAB. The number of activities by type over five years is shown in Table 11.

Some believe that the long development processing timelines in Berkeley are primarily a function of high levels of development activity. However, as can be seen in Table 11, at least for the last five years, activity levels are relatively level. The average total number of activities for the five years was 2237. The total for FY16 was 2252. The numbers by Item category also tend to be relatively level.

Table 11
Number and Type of Development Applications

Item	FY12	FY13	FY14	FY15	FY16	Five Year Average	Pending
AUP	161	159	162	161	154	159	88
Appealed	5	14	12	3	5	8	2
Condo Conversion	6	2	10	7	4	6	0
DR, sign	21	31	37	35	31	31	6
DR, staff	23	37	31	31	28	30	13
DRC	18	17	31	30	24	24	26
Appealed	0	4	0	1	1	6	0
Landmarks	17	14	20	48	17	23	15
Plan Checks, DR or LPC staff	199	189	231	268	117	201	0
UP	58	60	87	83	81	74	67
Appealed	4	9	8	4	7	6	4
Zoning Certificates Business Licenses ZCBL/ZCHO*	718	697	609	668	594	657	0
Zoning Plan Checks, Land Use Staff (ZN)	864	776	1034	1042	1148	973	0
Zoning Research Letters	30	52	37	41	41	40	10
TOTAL	2,124	2,061	2,309	2,432	2,252	2,237	231

*ZCBL Zoning Certificate Business License

ZCHO Zoning Certificate Business License – Home Based.

Characteristics of Project Types

Characteristics of the types of zoning approvals are shown in Table 12 below. The national Best Practice approach is to delegate decisions to lower and lower levels, which means:

- **By Right:** Having more reviews “by right” as specified in the ordinances. Berkeley has fewer by-right decisions than most communities, and adds an Administrative Use Permit process for many decisions that other communities use clear standards to approve by right.

- Staff Decisions:** Many communities delegate many items from official boards such as a planning commission to staff. Berkeley has followed this system through the Administrative Use Permit process. While similar to many other communities, Berkeley's system adds extra noticing requirements. Berkeley's AUPs also tend to have longer timelines, while in many communities these activities are over-the-counter or provide a one week approval process. Berkeley also has more AUPs than most communities.
- Boards and Commissions:** Many communities are reducing the number of boards and commissions in the process. Berkeley has gone the opposite direction with a Planning Commission, Zoning Adjustments Board, Landmark Preservation Commission, and Design Review Committee.

The decision structure a community uses is generally a political decision, and it appears that Berkeley has tended to want decisions at higher rather than lower levels. We assume that the Zoning consultant about to get underway will address these issues. Throughout this report we have suggested a number of possible changes to simplify the process but remain consistent with Berkeley's historic desires.

Table 12
Types of Zoning Approval

Type	Issued By	Time Frame	Public Comment	Types	Appeal Period	Appeals To
Zoning Certificates ZC – Business Licenses	Land Use Planning staff	1-6 weeks	No	All businesses		
Zoning Certificates ZC -Building Permits	Land Use Planning staff	1-6 weeks	No	Remodels that conform with all zoning requirement*		
Administrative Use Permits AUPs				Projects that don't meet ZC requirements		
AUP Tier 3	Zoning Officer	2-4 months	Yes, notice of decision is posted	Simple projects in or adjacent to a residential district with likely limited impacts on nearby residents	20 days after decision	ZAB and City Council
AUP Tier 2&4	Zoning Officer	5-6 months	Yes, notice of decision is posted	Intermediate projects in or adjacent to a residential district, not Tier 1 or 3.	20 days after decision	ZAB and City Council
AUP Tier 1	Zoning Officer	5-8 months	Yes, notice of decision is posted	Projects in or adjacent to a residential district with potential impacts on nearby residents	20 days after decision	ZAB and City Council

Type	Issued By	Time Frame	Public Comment	Types	Appeal Period	Appeals To
UPPH	ZAB	12-24 months	Public Hearing 14-21 day notice**	Mixed use projects	14 days after decision	City Council
UPPH Tier 2	ZAB	9-15 months	Public hearing required	Any new building, Major renovation of Landmarked building-site-Structure of Merit, Master Use Permit or Development Permit required by a Specific Plan	14 days after decision	City Council
UPHH Tier 1	ZAB	6-12 months	Public hearing required	All projects not listed in Tier 2	14 days after decision	City Council
UP Modification	ZAB	2-4 months	No Public Hearing required		14 days after decision	City Council
UP Modification	ZAB	4-6 months	Public hearing required		14 days after decision	City Council
	Staff, but a few are referred to ZAB		Post notice adjacent to subject property 14 days prior to action	Projects not requiring ZAB approval	14 days of staff action	Design Review Committee
Design Review by Staff	Staff, but a few are referred to ZAB	Within 60 days	Post notice adjacent to subject property 14 days prior to action	Projects not requiring ZAB approval	14 days of staff action	Design Review Committee
Design Review Committee (DRC)	Makes recommendation to ZAB	Within 60 days	No public hearing is required. Agendas to be posted 72 hours before the meeting.	The items requiring ZAB approval	14 days of committee action	City Council
Landmark Issues	Landmarks Preservation Commission	4 to 6 months	Public Hearing	Items requiring Landmark Preservation Commission approval	14 Days	City Council

*Must not exceed 600 square feet in area, more than 15% of lot area, average height not to exceed 14-16 feet.

**On-site signs, mailing to residents and property owners within 300 feet.

D. ELEVEN KEY ISSUES AND RECOMMENDATIONS RELATED TO ALL PROCESSES

The national direction for decision making in the development process is one of empowering decisions at the lowest levels possible. This often means:

- Reducing or consolidating various boards and commissions. Berkeley has at least four, being the Design Review Committee, Landmarks Preservation Commission, Planning Commission, and Zoning Adjustments Board;
- Defining clear requirements so that more uses and structures can be approved “by-right”. Berkeley has tended to go in the opposite direction, requiring Administrative Use Permits for reviews that in many communities would be by right.

The argument for Berkeley is that it is a unique community and wants to remain so. Berkeley’s direction is a political policy decision and beyond the scope of this study. However, this policy as currently practiced:

- Creates a major burden on Berkeley residents in relation to cost and time for residential remodeling;
- Impacts expanding and improving the housing stock; and
- Encourages owners to build without permits to avoid a costly and lengthy approval process.

In sections of the report to follow, each process is charted and described along with a few suggested modifications. However, these changes will not substantially impact the long approval timelines being experienced in Berkeley. Instead, there are **eleven overarching issues** that impact all the processes that can begin to address the timeline issues as shown below:

1. Application Completeness

Best Practice communities require an application to be complete before it is taken in for processing. This increases staff efficiency by not having partially completed files and can help to shorten timelines once a project is underway. This Application Completeness is different than the 30-day Completeness Review. Normally, there is simply a checklist of needed material and if it is not present the application is not taken in. In practice in Berkeley, incomplete applications are generally accepted with the theory that this is good customer service. However, the opposite is true since the applicants want timely review of their applications.

85. *Recommendation: Berkeley should require complete applications before taking in an application.*

2. Application Readiness

It is not clear when an application is scheduled for consideration by The Landmarks Preservation Commission, Design Review Committee or Zoning Adjustments Board. The Department's general approach is to schedule it when staff says it is ready. Best Practice communities use a different system. They publish hearing dates for all the bodies similar to those used in Berkeley. However, they then publish application cutoff dates before each meeting. If an application is complete at filing, then the meeting date for that application is more or less set. This provides a good performance standard and timeline for staff work.

86. *Recommendation:* The Department should establish application submittal cutoff dates for the Landmarks Preservation Commission, Design Review Committee and Zoning Adjustment Board and then schedule applications that are received and complete for that date.

87. *Recommendation:* The Zoning Ordinance study underway should examine decision-making alternatives.

3. Electronic Plans

All plans in Berkeley are now being submitted electronically. To help realize the full benefit of this system, the Landmarks Preservation Commission, Design Review Committee and Zoning Adjustment Board should have access to computers or tablets. This transition will save staff time and paper and should be phased in as soon as possible.

88. *Recommendation:* Convert to electronic plans and provide necessary computers or tablets for the Landmarks Preservation Commission, Design Review Committee and Zoning Adjustment Board.

4. Expedited Processing

Staff feels that the Division is understaffed in some of its functions. We were unable to obtain the data required for a real staffing analysis. However, neither the fees collected through the Enterprise Fund #833, nor any General Fund support, are likely to be able to provide additional revenue to increase staffing. One possible idea is to increase the number of expedited processes. This system is already being partially used: the applicant pays the normal fee plus the cost of a consultant hired to process the project. Expedited processes could be proposed for all applications, with the Department setting specific timelines for each process.

Lacking a detailed staffing analysis, another way to examine staffing is to look at the number of projects each planner is assigned at a given point in time. We were given data for October 11, 2016. Projects for seven planners ranged from a low of 4 projects to a high of 28. Excluding two low numbers of 4 and 5, the other five planners ranged from 15 to 28 with an average of 21 projects. These numbers would be doable for most of the communities we have worked with. However, given Berkeley's more complicated regulations and processes, these could be an undesirably high number of projects per planner.

Irrespective of the numbers above, the City's budget issues and Fund #833 are not likely to have adequate resources to increase staffing. As such, some of the other recommendations in this report may need to take precedence, including some process changes, accepting only complete applications, and expanded use of expediting consultants.

Expediting consultants present many advantages including:

- Reducing timelines; and
- Reducing staff workloads. The applicant pays the normal fee plus the cost of the consultant. Assuming the Department may need 30% of the fee to manage the consultant, the next result would be to add 70% of staff for each expedited project.

89. *Recommendation:* Expedited processes should be proposed for all the Land Use processes and include specific timelines.

5. Interpretation Manuals

The Berkeley Zoning Ordinance and development process are confusing, leading to variable interpretations and difficulty in administration. There has also been a considerable concern about of planner staff turnover, which can accentuate this problem. Many communities handle this by developing an interpretation manual. This collects and indexes interpretations as they are made. Also, interpretations from the City Attorney are added. During interviews, staff and managers agreed on the need for such a document but were skeptical about the amount of time and effort needed to complete the task. We suggest a very simplified approach as follows:

- Create a format for consistency, dates of interpretation, *etc.*;
- Provide a good index and table of contents;
- Establish a clear location for the interpretations, likely a computer file and also hard copies in a recognizable notebook;

- Don't wait to create the universe, just start with the next interpretation that is officially made and build the file step by step;
- Round up the prior City Attorney interpretations; and
- As time permits find other prior interpretations, and add them to the file.

90. *Recommendation:* The Planning and Development Department should create an interpretation manual.

6. Notification Postings

Many of the processes require multiple on site postings. If the initial posting includes adequate staff contact information, concerned citizens should be able to submit their email or postal addresses in order to be notified by the Department as the case progresses. Follow up emails, as well as the standard website postings, should be sufficient, instead of further postings on the site.

91. *Recommendation:* Eliminate multiple notification postings on site.

7. Project Managers/Case Managers

When cases are assigned to a planner, that planner should become responsible for all aspects of the applications including (as necessary) multiple Boards, Commissions, or Committees.

92. *Recommendation:* Use a project manager/case manager system for handling all projects.

8. Segment Timelines

Virtually all the timelines in Berkeley are longer than we have seen in our previous studies. We have made a few suggestions under various processes but these alone will not substantially reduce the timelines.

Applicants are concerned about the duration of time from applying for a permit and receiving actual approval. However, in order to reduce the amount of total time, it is necessary to segment the process and address its sub-parts. This is particularly critical since applications appear to cycle numerous times for many of the processes. Think of it this way. When an application is given to a staff member for review, how many working days are needed until the applicant is given a response? And then, when the applicant responds to staff comments, how many days are required for the staff's second review, and subsequent reviews? These timelines can vary for each type of activity. Most reviews should be able to be completed in 10 working days. Some more

complex projects may need 15 working days, and a few may even require 20 working days. Second cycles should be reduced in half, *i.e.*, 5, 7.5 or 10 working days. Then, the third cycle would be cut in half again, *i.e.*, 2.5, 3.75, 5 working days. These numbers as based on the assumption that the same staff is completing the review for each cycle. All these performance times would be set in Accela and monitored with reports to managers. Over time, staff would internalize the expectations for their reviews.

Staff will often comment on how long it may take the applicant to respond to their conditions or suggestions. If it takes the applicant 20 or 30 days, they might ask why staff should be expected to complete its review in, say, 10 days. This is a misunderstanding of how the development process works. There may be many reasons why the applicant needs this amount of time. Staff's time requirements should not be affected. The Accela program will calculate the applicant's time as well as the staff time. Normally, it may not be important to worry about the applicant's time so long as the record is clear. However, a few communities do set timelines for applicants' reviews and charge extra fees if these timelines are not met. Extra fees are at times applied if there are too many review cycles. Some communities handle the fees for large projects by using time and materials billings. This system does add to administrative costs.

Table 13 shows a beginning approach to this issue.

Table 13
Sample Staff Review Times, Working Days

Activity	First Staff Review Time	Second Cycle Staff Review Time	Subsequent Cycle Staff Review Time
Small projects	5	2	2
Medium Projects	10	5	3
Major Projects	15	10	5
Very Large Projects	20	15	10

93. Recommendation: The processing of applications should set specific performance standards for each review, cut these for each subsequent review, and use Accela to monitor these timelines.

9. Staffing

Many of the staff members supporting various plan review functions believe they are understaffed. It is difficult to make a detailed analysis of this issue. For the Land Use

Planning Projects Section, there are two Principal Planners who function as managers not handling projects. For projects there are 10 planners with one vacant position; two technicians with one vacant position; and five interns, three vacant. Of these it appears the equivalent of one planner is devoted to Design Review and one planner is devoted to the Landmarks Commission.

Based on the staff billable hours' analysis shown in Table 14, a full-time planner would have 1,314 productive hours available each year. We don't have date on the productivity of Technicians but for analysis purposes we suggest 75% be used. In assigning time for Interns we suggest 50% be used. Thus, for project analysis, excluding Design Review and Landmarks, the amount of available time if all positions were filled is 17,083 annual hours. This is just a rough starting point of analysis that could be used by Department management to analyze staffing needs.

Table 14
Available Annual Staff Hours Excluding Design Review and Landmarks

Position	Hours Per FTE	Total Available Hours
9 Planners	1314	11,826
2 Technicians	986	1,972
5 Interns	657	3,285
Total		17,083

94. Recommendation: The Planning and Development Department should complete a detailed staffing analysis.

10. Thirty Day Reviews

State statutes allow up to 30 days to declare most project reviews complete, after which time additional information is not to be requested from the applicant. Berkeley, like many California communities, tends to make this finding on the 29th or 30th day. However, there is no reason that this finding can't be made much earlier in the process, as soon as preliminary review is completed, normally within 10 working days. For major items that are subject to an interdepartmental review meeting, the 30-day finding should be made at that meeting.

95. Recommendation: The 30-day reviews should be completed early in the process, normally 10 working days or at any interdepartmental review meeting.

E. ZONING CONFORMANCE REVIEW

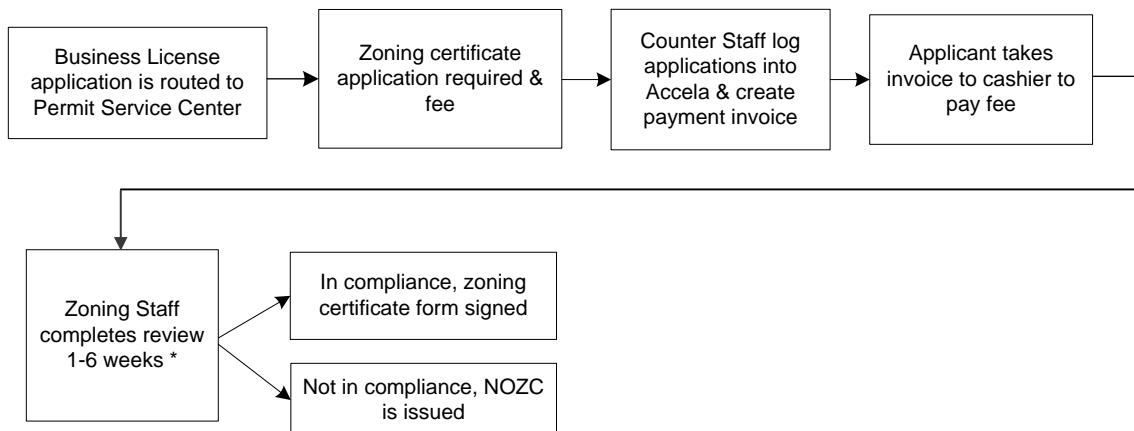
The first step for most construction projects is to check zoning regulations. Staff reviews applications to determine what kind of zoning permit is needed. This can be complex and confusing because Berkeley's Zoning Ordinance is difficult to use. A zoning study about to get underway is designed to help simplify and reduce confusions.

Chapter 23B.20 of the City Code establishes that a Zoning Certificate shall serve as a record of the initial establishment of a use, or the construction of a structure, which is allowed as a matter of right. Prior to obtaining any business license, building permit, subdivision approval, or lot line adjustment, the Zoning Officer shall determine whether the use, building or lot change complies with all provisions of the Zoning Ordinance and any applicable Use Permit and that all Use Permit conditions have been satisfied.

Business License: The Zoning Certificate process for Business License Applications is shown in Figure 12. A two-page application form is used for this purpose. Although some of the printed material indicates these may require one to six weeks to complete, in fact many are completed in one day or over-the-counter. One day would be a good standard for this activity. Those that are not completed in one day often relate to the application being incomplete, did not have owner's authorization, or new tenant spaces being created without City approval.

96. *Recommendation:* Ninety percent of Zoning Certificates for business licenses should be completed within one day.

Figure 12
Zoning Certificate Process for Business Licenses



* Depends on type of project

Building Permits: The Zoning Certificate process for Building Permits is shown in Figure 13. A two-page application form is used for this purpose. The form does not include a requirement for the applicant's email address, and space for this should be added.

97. Recommendation: Request an email address on the Zoning Certificate Application for Building Permits.

The Department also uses a 17-page handout that is used for Administrative Use Permits, Use Permits, Variances, Modifications, and Preapplications. This is a very confusing document, because mixing all the processes in one handout can diminish clarity for the customer as well as new staff.

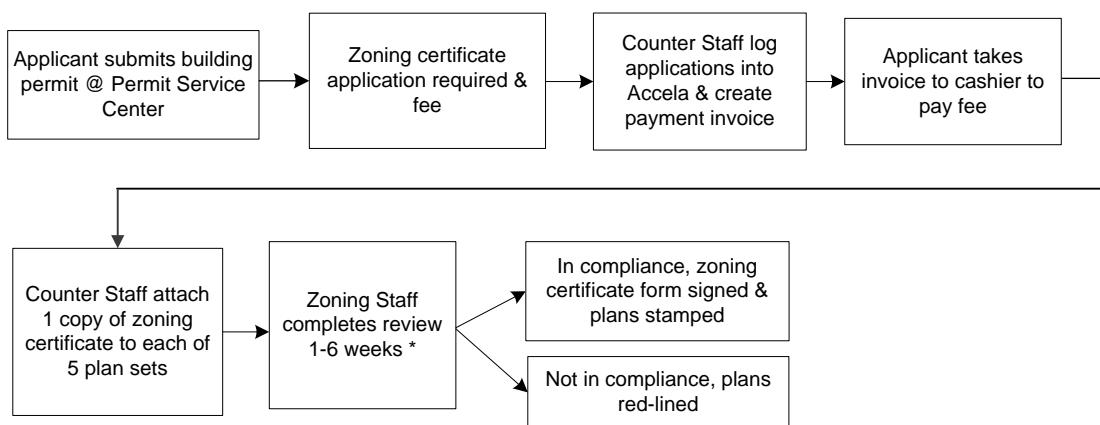
98. Recommendation: The handout for Zoning Project Submittal Requirements should be converted to several handouts depending upon the type of process being used.

The Zoning Certificate process for Building Permits appears to require two to three hours to review. The Department's current stated standard to complete is one to six weeks. This is a much longer timeline than we see in most communities. Some of these certificates, where projects require only a building permit, should be issued in one day. For more complex building permits, it should require a maximum of five

working days. While data for actual times was hard to obtain, it appears that the normal timeline is 4 weeks.

99. Recommendations: Ninety percent of Zoning Certificates for projects only requiring a building permit should be issued in one working day. Other Certificates should be issued in no more than five working days.

Figure 13
Zoning Certificate Process for Building Permits



* Depends on type of project

F. ADMINISTRATIVE USE PERMITS (AUPs)

Ordinance Requirement

Administrative Use Permits are required for certain uses as specified in the Ordinance. Chapter 23B.28 indicates that Administrative Use Permits may be issued by the Zoning Officer, or he or she may schedule the matter for public hearing before the Zoning Adjustments Board. It is rare that cases are referred to the ZAB, there were none in 2016. Although a pre-application process may be used for an application, it is rarely done.

Prior to the issuance of an AUP, the Zoning Officer shall give notice of the decision to approve, modify or deny an application, through posting at three visible locations near the subject property, posting at a bulletin board, at the Zoning counter, and mailing of a Notice of Administrative Decision to owners and residents within a 300-foot radius of the property. The decision may be appealed within 20 days to the

Zoning Adjustments Board, and Zoning Adjustments Board decisions can be appealed to the City Council.

The AUP may be granted if the application is not detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City. These criteria for granting an AUP is very general and can lead to a lack of consistency and confusion in decision-making. The Zoning Ordinance should be modified to provide better criteria for decision making.

100. *Recommendation:* The Zoning Ordinance should be modified to clarify criteria for granting Administrative Use Permits.

We are not under contract to review the Zoning Ordinance, and the Planning and Development Department has recently hired a consultant to review it. A few possible changes as suggested by staff and customers include:

- First floor additions where the roofline extends above the 14' average height if no additional shadows or impact on views of neighbors are involved;
- Adding or modifying a window in an existing wall that lies within the required setback that do not affect a neighboring property;
- Correcting railing requirements on a second-floor egress;
- Allowing the portion of the driveway closest to the street as a legal parking spot;
- Clarify bedroom and related parking regulations to make them less subjective and hard to interpret;
- Revise the Wireless Ordinance to meet State and Federal requirements;
- Revise the Zoning Ordinance to reflect trends in working and making things (such as handicraft items) from home;
- Increasing square feet and lot area requirements for ZC cases;
- Moving certain accessory uses and other items from AUP to ZC such as fences, hot tubs, and some of the dimensional requirements. A good way to approach this question is through a simple analysis: how many of the AUP cases are always approved and with similar conditions? These cases may be candidates for moving to ZC;
- One of the focus group participants, an architect, provided us nine pages containing 38 specific recommendation that could substantially improve the

processes. Although we are not under contract to review the City standards, many of these at first look appear to be sound recommendations. City staff should review the list and discuss with the appropriate Boards or Commissions; and

- This is only a sample list; the Principal Planners in the Land Use Planning Division have many more examples.

101. *Recommendation:* The Department should create a list of suggested regulation changes to be given to the new Zoning Ordinance consultant and prepare a work program to address any issues not addressed by the consultant.

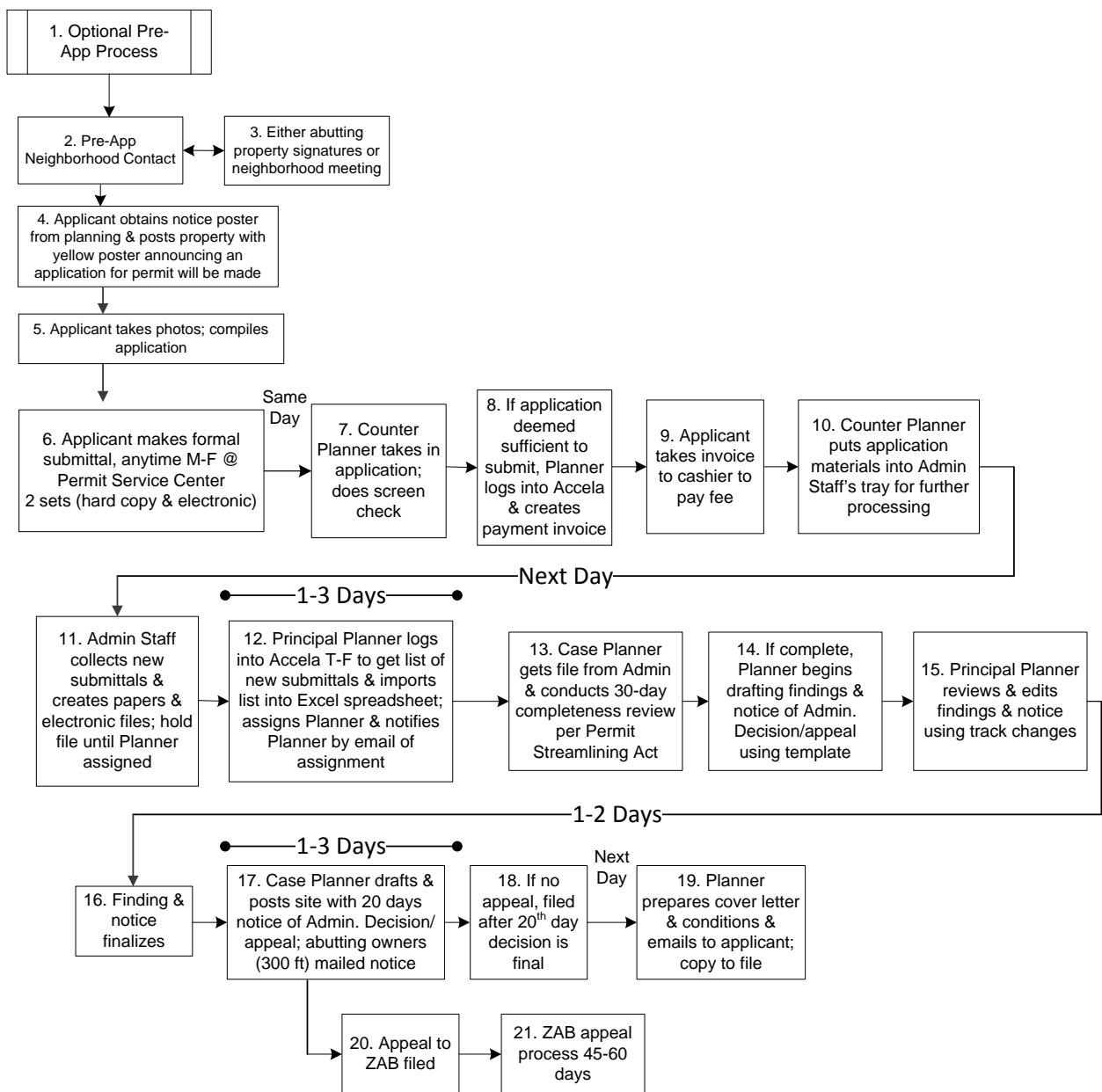
Process

The process for Administrative Use Permits is shown in Figure 14. We have the following comments on the process:

- It is very unusual to conduct pre-applications for an administrative process and although allowed, we suggest it be discouraged;
- While the process flow chart indicates the application is assigned to a planner in one to three days, some planners indicate it may take a week. The Principal Planners are meeting twice a week to assign cases so it should be possible to always meet the one- to three-day standard. It should also be possible to have some of the applications automatically distributed based on specific project criteria, without involvement of the Principal Planners;
- It is unusual to need a 30-day completeness review for administrative permits. It is not unusual that planners wait until the 29th or 30th day for this finding. Planners should begin review of the application as soon as it is assigned. Box 13 should be revised to say, “Planner gets file from Admin & begins analysis of the application.”
- Box 14 should be revised to say, “Planner drafts findings & notice of Admin. Decision/appeal using template; and
- Box 21 indicates 45-60 days for the ZAB appeal process. Since the ZAB meets twice a month, it should be possible to reduce this time to no more than 15 days.

102. *Recommendation:* The Administrative Use Permit process should be changed as outlined above.

Figure 14
Administrative Use Permits Process



Tiers

The Department describes AUPs into four tiers for processing and assignment purposes. The Tiers are not descriptions included in the Zoning Ordinance. The Tiers are described as follows:

- **Tier 1:** Projects in or adjacent to a residential district that are the most complicated due to potential impacts on nearby residents such as additions over 14 feet in average height, new accessory structures, and wireless telecommunication projects.
- **Tier 2:** Projects similar to Tier 1 but with intermediate complexity such as commercial uses adjacent to an R-District, senior congregate housing, or large family day care in R-4 District.
- **Tier 3:** Projects requiring the least amount of staff time such as additions less than 200 square feet of floor area with nonconforming yards, additions over 14 feet that don't increase height by two feet or less, fences or decks less than 8 feet in height, uncovered parking in a rear or side yard, hot tubs, sidewalk seating or planter boxes in the public right-of-way.
- **Tier 4:** Residential or commercial projects not in or adjacent to a residential district.

Timelines

The Land Use Planning Division processes Administrative Use Permits in four tiers as shown in Table 15. Typical timelines for AUPs are shown as two to eight months. Actual timelines appear to be 6 to 8 months. These are the longest timelines we have seen for this type of administrative action in our many studies. Several factors appear to be impacting these timelines including:

- According to some staff, it may take five or more days from when an application is received until it is on a planner's desk for analysis; a normal process accomplishes this in one or two days;
- Planners are not yet taking full advantages of the Accela system;
- There may be a shortage of staff to process these cases;
- Noticing practices or legal obligations which require significant advance time;
- Lack of a fully integrated electronic plan check capability; and
- The criteria for approval of denial is not clear and is often subjective.

The existing timelines and our suggestions are shown in Table 15.

Table 15
Existing and Proposed Timelines for AUPs

Tier	Typical Existing	Sampled Existing	Proposed
3	2-4 months		5 working days
2 & 4	5-6 months		15 working days
1	5-8 months		20 working days

103. *Recommendation:* The timeline performance standards for AUPs should be as shown in Table 15. Timelines should be met at least 90% of the time.

It may take some time for the Division to achieve the proposed timelines. In the meantime, one or two consultants should be retained that are familiar with the AUP criteria and can agree to meet the timelines. The applicant would pay the normal fee plus the consultants cost.

104. *Recommendation:* Expedited process should be made available for Administrative Use Permits.

G. PRE-APPLICATIONS

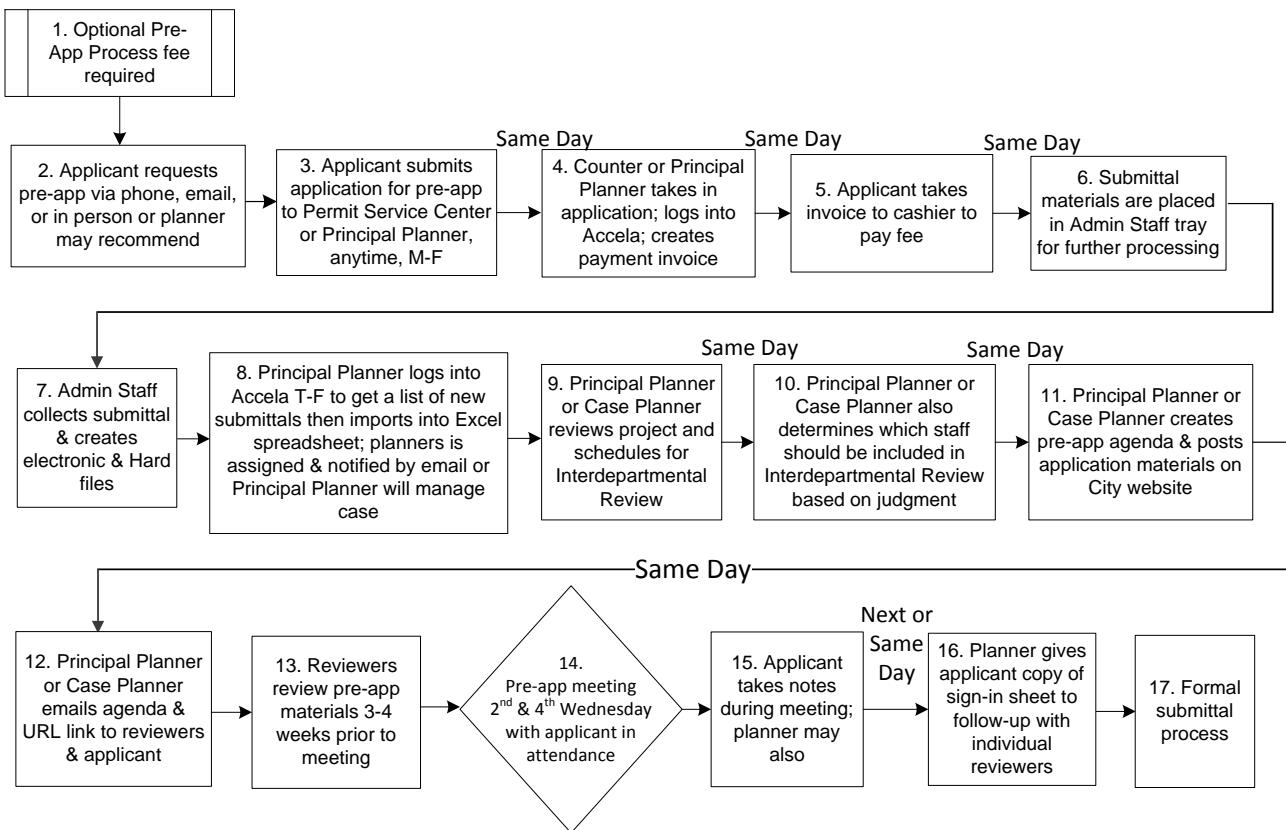
Pre-application meetings are required for certain projects, typically five-story or taller buildings, vacant sites, and laboratories. Meetings are held as necessary the second and fourth Wednesdays of the month.

Reviewers include Design Review, Economic Development, Environmental Health, Fire, Land Use, Landmarks, Police, Public Works, Solid Waste, Transportation, etc. The Land Use Planning Divisions lists 36 possible review staff from nine different functions. These include 1) Four from Fire, 2) Five from Parks Recreation & Waterfront, 3) Four from Planning – Building Code, 4) One from Planning – Design Review, 5) Two from Planning – Land Use, 6) One from Planning – Office of Energy and Sustainable Development, 7) Police Department, 8) Public Works, and 9) Transportation. This is an unwieldy list. The group should be more formalized with one person representing each of the nine specialties.

105. *Recommendation:* The attendance list for the Pre-Application meetings should be formalized.

The Pre-application process is shown in Figure 15.

Figure 15
Pre-application Process



* Interdepartmental Reviewers – up to 20 reviewers (e.g., Fire, Police, P.W., Solid Waste, Transportation, Bikes, Econ Dev., Stormwater, Env. Health, Landmarks, Design Review, etc.)

Timelines and Process: The Division sets a timeline of six to eight weeks from submittal to the Pre-application Meeting. This timeline is much too long for this process. It should be workable as follows: 1) Set up file and distribute to reviewers within three days, Boxes 1 to 12 on the Figure, 2) reviewers are given 10 business days for review, this is a Best Practice used by many communities, for very large projects this could be increased to 15 working days, 3) a meeting is held 2nd and 4th Wednesday so this would add 10 to 15 days to the process, depending on the day the application is received, and 4) the resulting timeline would be 15 to 23 days. The boxes on the Figure should be edited as follows:

- Box 13 should read, “Reviewers review pre-app materials 10 or 15 working days prior to meeting.” This is a standard Best Practice used in many communities. It provides adequate time for review.
- Add to Box 14, “Attendees bring both electronic and hard copy written comments to the meeting.”

- Edit Box 15 to read, “Applicant and planner take notes during the meeting. Planner edits participants’ electronic comments as edited by the discussion or agreements.”
- Edit Box 16 to read, “Planner gives applicant copy of sign-in sheet and a printout of the edited comments or conditions for follow-up with individual reviewers as necessary.”

106. *Recommendation:* The timelines for Pre-application Meetings should be within 15 to 23 days of application receipt and the process should be modified as indicated above.

H. DESIGN REVIEW COMMITTEE

Organization and Purpose

The Design Review Committee is appointed by the Zoning Adjustments Board and is responsible for review and approval of design proposals for projects in non-residential districts as set forth in Section 23E.08.020 of the Zoning Ordinance. Generally, this includes all commercial and mixed use projects, signs, and all non-residential districts. Reviews do not include land use issues, and directions for review come from design guidelines adopted by the Planning Commission. The overall purpose is to:

- Encourage excellence in design and to ensure that new construction and alterations to existing buildings are compatible with the best elements of the existing character of the area, in order to provide a pleasing urban environment for residents, pedestrians and building occupants;
- Consider a project in relation to its urban context and to focus on the subject matter included in the design guidelines; and
- Design review shall not address land use issues.

Design Review applies to:

- All commercial, manufacturing, mixed use and other non-residential districts;
- All commercial and mixed use projects in the R-4 District;
- All commercial, mixed use and community and institutional projects in the R-SMU and R-S Districts; and
- All mixed use and community and institutional projects in the R-3 District within the boundaries of the Southside Plan.

Members: The seven Design Review Committee members include two members of the Zoning Adjustments Board, one member of the Landmarks Preservation Commission, one member of the Civic Arts Commission, and three members of the

public who are appointed by the Zoning Adjustments Board. There are no requirements that members have design backgrounds or design skill, although it appears that often half are architects or landscape architects. Since DRC actions go before the ZAB, there would simply a duplication of actions unless DRC provides competent design advice. Changes to member qualifications are beyond the scope of this study but are worth the City looking at.

107. *Recommendation:* The City should examine the design qualifications for the Development Review Committee.

Meetings: The DRC meets on the 3rd Thursday of each month at 7:00 p.m. at the North Berkeley Senior Center, 1901 Hearst Avenue. Agendas and minutes are shown on the City's website. The applicant is given five to ten minutes for a presentation and the public may speak and may be limited to three minutes. The DRC reviewed 24 projects in FY16 with a five-year annual average of 29 projects. Currently 29 projects are pending (under review). While there are no stated timelines or performance standards for review, it would appear there is a backlog of cases.

Staff: A full time Associate Planner who is a registered architect is the primary staff for design review. She is assisted by an Assistant Planner and a 19 hour per week intern. The Architect currently is handling 35 to 40 cases at a time. This is an excessive number of cases for one person and impacts some of the timelines. For FY16 there were 31 sign reviews, 28 staff reviews, and 24 DRC reviews for a total of 83 per year or 1.6 per week. There are also 45 cases pending which would be consistent with the number the architect is handling. While normally the 1.5 staff should be able to handle this workload, Berkeley's systems, including multiple reviews, substantially adds to the workload. As a starting point, we recommend two full-time positions. This could also provide backup for the architect, which is a normal approach to staffing.

108. *Recommendation:* Additional staff needs to be made available for the Design Review process. It may be necessary to increase Design Review fees to provide for such staff.

The Associate Planner reports to one Principal Planner and the Intern to another Principal Planner. For training and consistency purposes the two-design staff should report to the same Principal Planner. Even better would be to have the Intern report directly to the Associate Planner.

109. *Recommendation:* The design Intern should report to the Associate Planner for design or at least the same Principal Planner as the Associate Planner.

Responsibility for Design Review

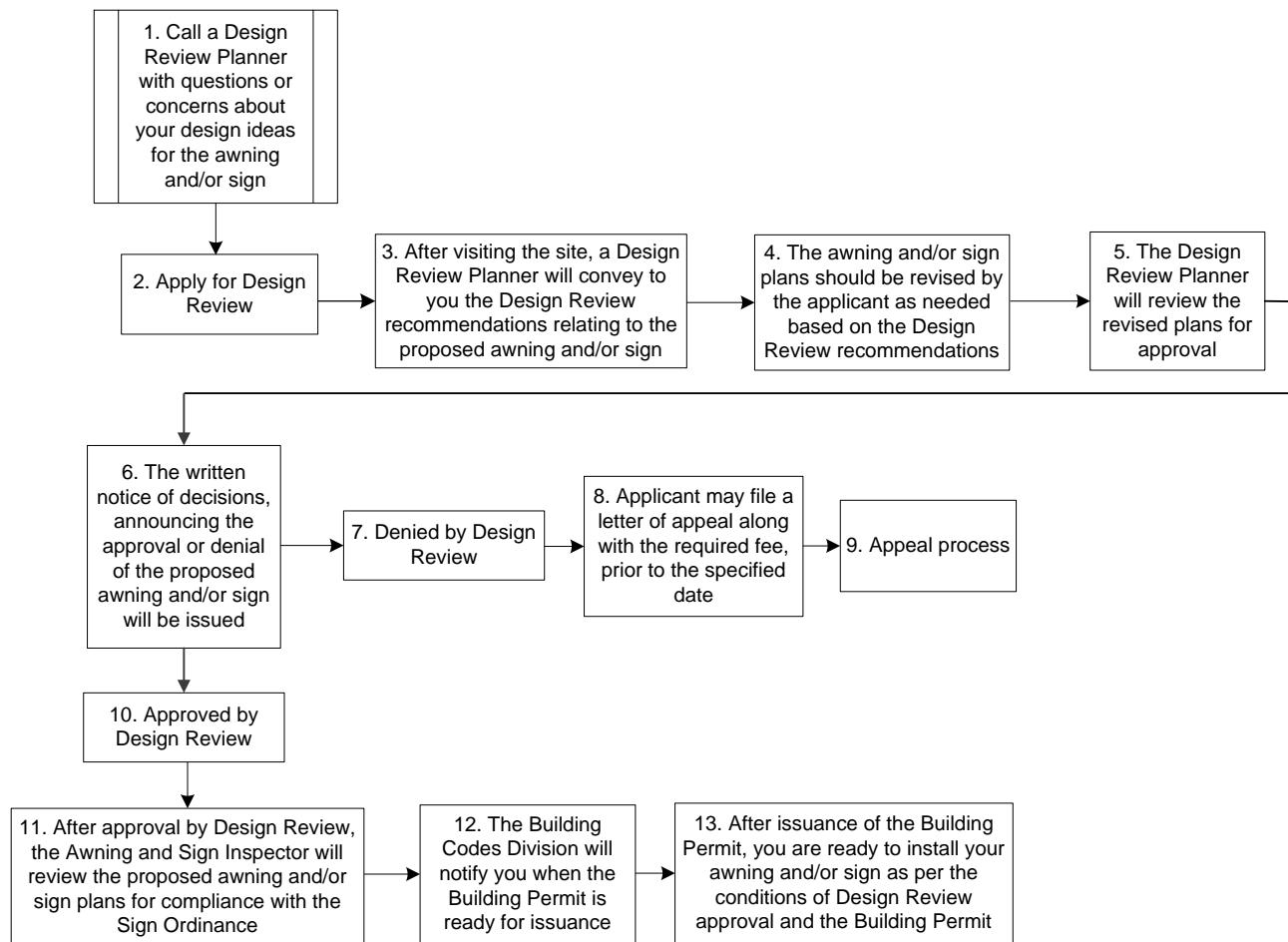
- The Landmarks Preservation Commission (LPC) has the responsibility for design review of projects which involve landmarks, structures of merit, or buildings within a historic district. Occasionally they will ask for advice from the Design Review Committee;
- The Design Review Committee or design review staff has responsibility for design review of other projects which involve a building or structure listed on the State Historic Resources Inventory, or on the list of Structures and Sites adopted by the LPC;
- The Design Review Committee or design review staff has responsibility for buildings over 40 years old, when the LPC has determined that the building may have special architectural and/or historical significance;
- The Design Review Committee or design review staff has responsibility for signs and awnings that involve a building or structure listed on the State Historic Resources Inventory, or on the LPC's current List of Structures and Sites;
- Projects requiring an AUP or a Zoning Certificate shall have Design Review conducted at the staff level; and
- For projects requiring a public hearing by the Zoning Adjustments Board, staff recommends to the Board whether design review should be conducted by staff or by the Design Review Committee.

Timelines: Review of projects not subject to approval by the Zoning Adjustments Board shall be completed within 60 days of the date the application is complete. Project reviews requiring approval by the Board shall be completed within 60 days of submittal of complete final design review plans.

Process - Sign/Awning Design Review

The Staff – Sign/Awning Design Review Process is shown in Figure 16. The Division has a Design Review Application Form and an 11-page Basic Submittal Package handout. The figure shows the key components of the process, which could be completed within 10 working days. However, the process generally takes 30 days or longer, some take four to six weeks, while simple replacements of existing signs may require only a few days. Staff work for design review is handled by a staff registered architect, which is good. There were 31 applications in FY16 and currently 6 are in process. Thirty-one applications per year result in an average of less than one per week, 0.6 cases. Some communities handle these over the counter.

Figure 16
Staff - Sign/Awning Design Review Process



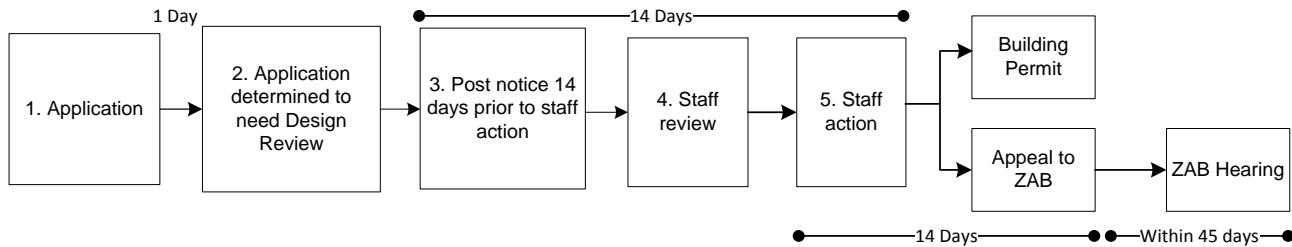
110. *Recommendation:* Sign/Awning Design Reviews should be completed within 10 working days.

Process – Staff Design Review

The Staff Design Review Process is shown in Figure 17. The Division has a Design Review Application Form and a five-page Basic Submittal Package handout. Sign/Awnings have an additional 11-page handout. The figure shows the key components of the process that could be completed within 15 days, which allows time for the public notice. However, the process generally takes 30 to 90 days or longer. Staff work for design review is handled by a staff registered architect, which is good. There were 28 applications in 2016, and currently 13 are in process. The 28

applications submitted per year mean there are less than one per week; as such, it should be possible to complete these reviews within 15 days.

Figure 17
Staff Design Review Process



111. *Recommendation:* Staff Design Review should be completed within 15 days for 90 % of the applications.

Process – Design Review Committee

The Design Review Committee Process is shown in Figure 18. The Division has a Design Review Application Form and a five-page Basic Submittal Package handout. Sign/Awnings have an additional 11-page handout. The figure shows the key components of the process. It was suggested to us that good projects normally are heard at two meetings but occasionally one, typical projects require three meetings and a few projects more than three. The number of reviews is at least partially dependent on how well the applicant responds to DRC comments from the first meeting. For FY16 there were 24 applications for Committee review and currently there are 26 in process.

Timelines for project approvals can be long. Assuming at least 30 days from application to the meeting, add 90 days for three meetings, and then 30-60 days for the ZAB, it is easy to see how a typical project may require six months or more.

In addition to the normal process shown in Figure 18, there are other issues that can affect the timelines including:

- Only a few projects are approved by the DRC in a single meeting. It is not unusual for projects to be reviewed in three or more meetings.
- After ZAB completes its review, projects are returned to DRC for final approval.
- Sometimes DRC performs a preliminary design review to get a recommendation to ZAB.

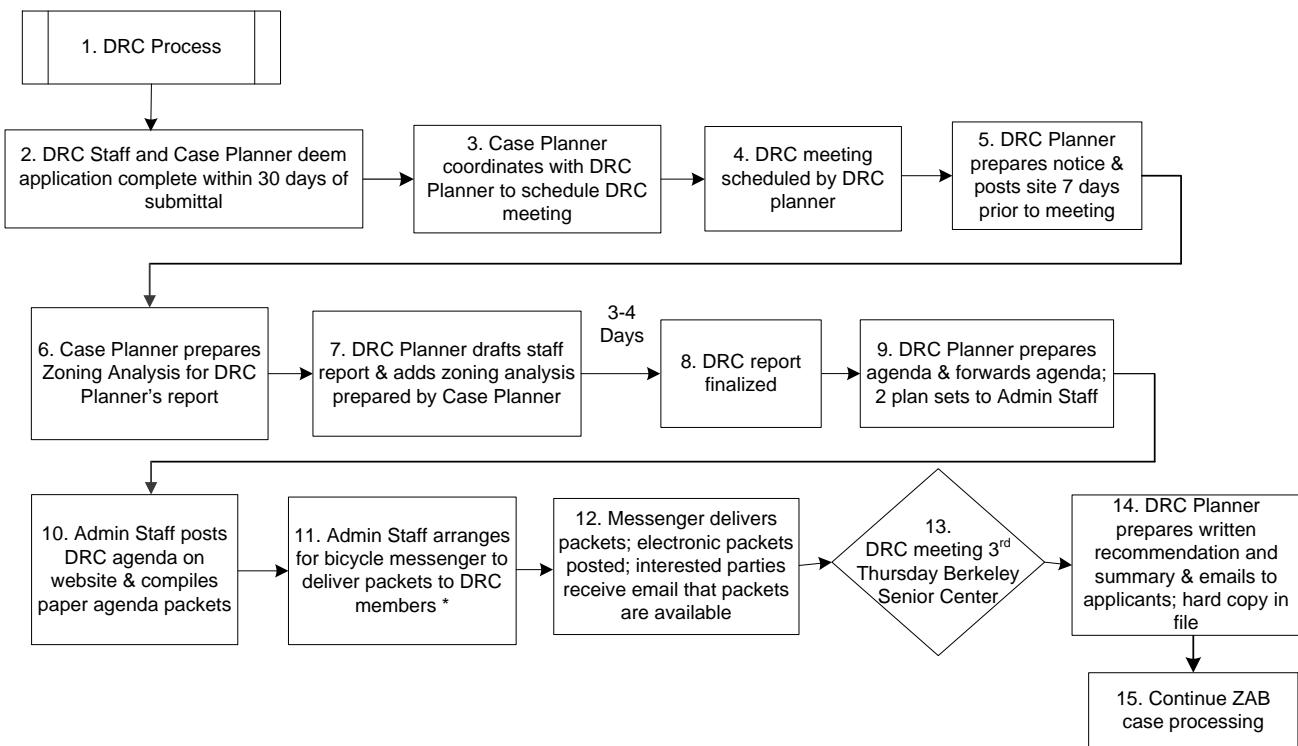
Suggested changes to the process include:

- Box 3 indicates a 30-day completion. This process should begin immediately upon receiving the application and be completed prior to the first DRC meeting.
- Box 5 indicates that site notifications should be posted seven days prior to the meeting. However, given Berkeley's concern for public participation, we suggest early notice. Posting should take place as soon as the DRC meeting is set.

112. *Recommendation: The 30-day completion should begin immediately upon receiving the application and be completed prior to the first DRC meeting.*

113. *Recommendation: Notifications of Design Review Committee cases should be posted as soon as the DRC meeting date is set.*

Figure 18
Design Review Process for Design Review Committee



Standards for Design Review

The Zoning Ordinance indicates that design review shall consider the design of a project in relation to its urban context, and shall focus on guidelines that are formally

adopted by the Planning Commission. While the City does have some guidelines for certain parts of the City, many areas are without guidelines, and those that do exist lack the detail found in many communities. Also, some of the guidelines appear to be out of date.

The overall statement of “urban context” can be subject to much subjective debate, which can lead to a highly contentious process.

There also appears to be some confusion between the functions of the Design Review Committee's and those of the Zoning Adjustments Board. The consideration of “use” is clearly the function of the ZAB and not the DRC. However, true design review includes more than aesthetics and needs to include street access, pedestrian circulation, parking, building massing and setbacks, and similar items generally reviewed by ZAB.

114. *Recommendation:* The City should consider adopting more specific design guidelines and standards for design review.

I. LANDMARKS PRESERVATION COMMISSION (LPC)

The City created the Landmarks Preservation Commission as part of the Neighborhood Preservation Ordinance, reflecting Berkeley's desire for and support of historic preservation. The Commission's duties include:

- Establishing and maintaining a list of structures and sites deemed deserving of official recognition and establishing archives of the same;
- Performing a variety of public activities to support preservation efforts;
- Review of demolition requests for any building over 40 years old; and
- Review, approve, or denial of applications related to designated properties.

The nine-person Landmarks Preservation Commission meets on the 1st Thursday of each month at the North Berkeley Senior Center at 7:00 p.m. Agendas and minutes are posted on the City's website. The Commission is responsible for the preservation and protection of Berkeley's cultural and historic landmarks. This is done by designating structures and sites having special historical and architectural interest and value. They review relevant construction, alteration, and demolition permit applications. The LPC conducts design review through the Structural Alteration Permit process, and its action are subject to appeal to the City Council.

Activity: Typical agendas appear to include five or six action items on applications. There were 17 applications in FY16, which is the typical amount. There are 15 cases pending for review.

Timing: Staff estimates that items are heard within five to six months. However, the Code specifies that items must be heard within 70 days after receipt of the application and action by the Commission within 30 days of the conclusion of the hearing. Actual data on timelines do not exist or have not been calculated.

Membership: Members are appointed by the City Council, but there are no established qualifications for membership. Lacking some qualification in historic preservation, the function would be similar to the ZAB. Currently, a few of the members do have some expertise in historic preservation.

115. *Recommendation:* The City Council should consider adopting qualification for Landmark Preservation Commission members.

Occasionally the Commission appoints a subcommittee to review selected items. This is appropriate.

Notice: Ten days prior to the hearing a notice is posted on or adjacent to the property, mailing within 300 feet, and notice to neighborhood groups.

Potential Initiations: The Landmarks Preservation Commission agendas include a long list of 47 Potential Initiations. This list allows the Commission to initiate a process to stay action on a noted site. While having these sites identified is useful, the normal approach would be to have a proactive analysis of the sites and take whatever preservation action is appropriate. This could be a costly effort but would be consistent with Berkeley's concern for historic preservation.

116. *Recommendation:* The Landmarks Preservation Commission should take a proactive approach to determining possible preservation activities for the Potential Initiations.

Staffing: The Land Use Planning Division provides staffing for the LPC. The staff person who recently left this position had an extensive background in historic preservation. The newly assigned staff member appears excellent but is still on a learning curve for the position. Most communities that have active landmark review functions employ or retain a staff expert in historic preservation. Given Berkeley's focus on landmarks, it would appear that the City should support such a position.

117. *Recommendation:* The City Planning and Development Department should always include at least one staff member with extensive background in historic preservation.

The current staffing consists of:

- One Senior Planner, manages the function, 66% time Landmarks, 33% zoning;

- One Assistant Planner, 50% time Landmarks, 50% zoning.

Staffing results in the equivalent of slightly over one person. With 17 application in FY16 this results in only 0.3 application per week or 1.4 per month. The current staffing should be sufficient for this level of workload.

The Senior Planner reports to one Principal Planner but the Assistant Planner reports to a different Senior Planner, while there may be some personnel reason for this approach, normally it is better not to split the chain of command in this way.

118. *Recommendation:* Consideration should be given to having all staff working on Landmarks report to the same Principal Planner.

Process

The Division uses a one-page application form. The process for the Landmarks Preservation Commission is shown on Figure 19 and some of its features are described below.

Appeals: Actions may be appealed by the City Council by its own motion, by the Planning Commission, by the Civic Arts Commission, by the property owner, or by 50 or more aggrieved residents. The appeal must be filed within 15 days of a decision. There was only one appeal filed last year.

CEQA: Most landmark actions do not require either an EIR or negative declaration. If they do, it would likely be part of a Use Permit action by ZAB.

Completeness: According to staff, the long timelines are often caused by receiving incomplete applications. This relates to our recommendations elsewhere that no incomplete applications be accepted for processing.

Continuations: Typically, most projects require two meetings, although a few are approved with one meeting. Mixed use projects with design review generally take the longest.

Design Review: The Landmarks Preservation Commission handles design review for their projects rather than the Design Review Commission. Occasionally they ask for review by the Design Review Committee. This seems like an unnecessary step. If any additional design review is needed it can be supplied by the design review staff.

Forty Year Old Building Demolitions: Any building demolition for buildings 40 years or older requires approval of the Landmarks Preservation Commission. Many of these are approved by simply taking no action. Staff does provide a staff report and review. The November 2016 Agenda listed 16 of these buildings.

Minor Landmark Issues: While there is no official staff approval or Ordinance language for any staff approval of landmark cases, occasionally staff will discuss an application with the LPC Chairperson and be authorized to process the application. Most communities that perform landmark reviews allow for a variety of actions that can be taken by staff without action of the Commission. In this case the Commission could be an appeal body.

119. *Recommendation: Consideration should be given to changing the ordinance to allow some landmark actions by staff.*

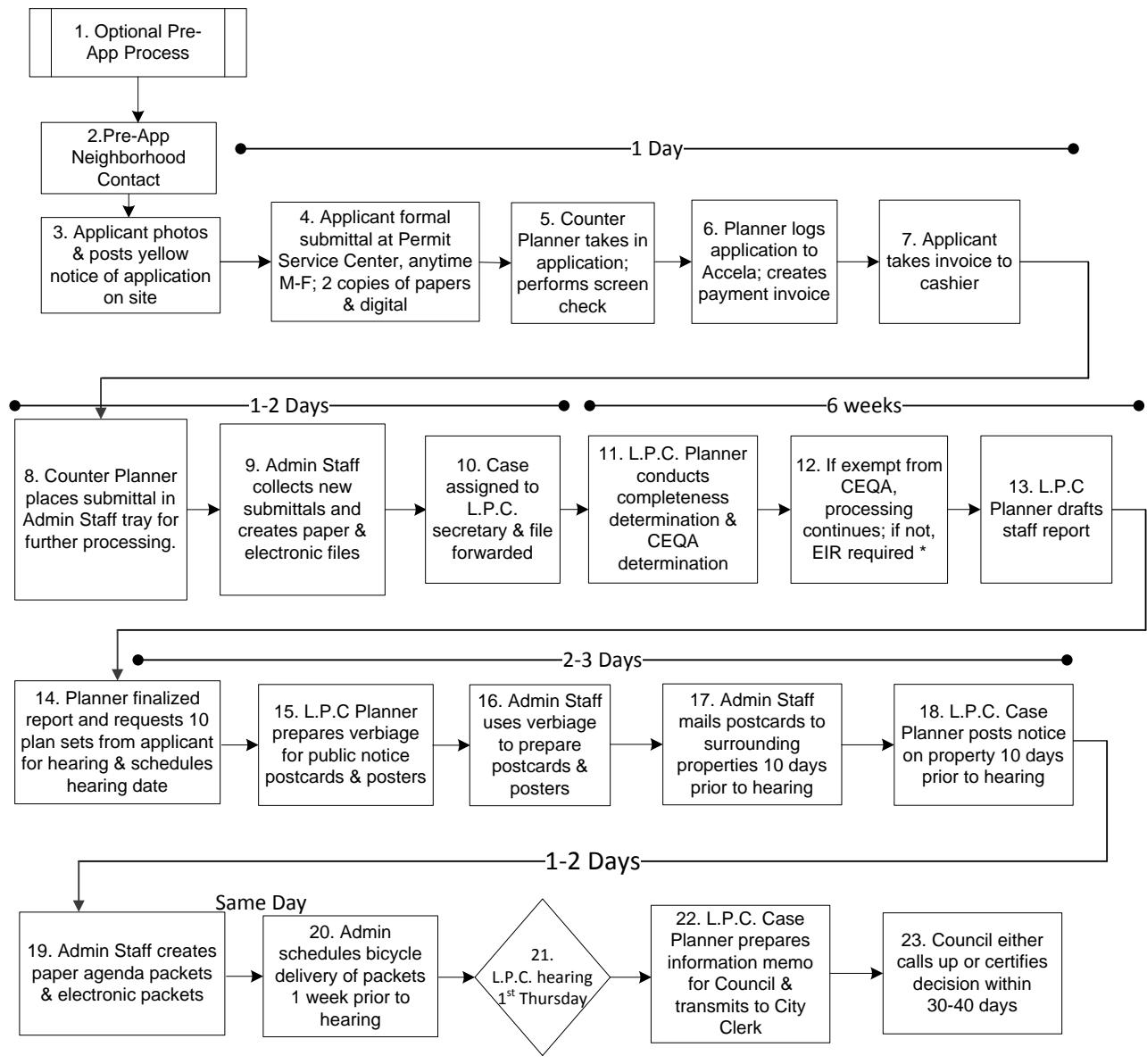
Pre-Application Process: Although the Pre-application process is available for landmark cases, it has not been used. This is appropriate provided other actions can be found to solve the long timeline issues.

Timing: The Land Use Planning Division indicates that the typical process takes five to six months. However, according to Figure 19, it should be possible to process an application within seven weeks. This would meet the Zoning Ordinance requirement of holding a hearing within 70 days of receiving an application. Additionally, the suggested six weeks for Boxes 11, 12, and 13 should be accomplished within two weeks. New timelines can be accomplished either through process changes or increased staffing.

120. *Recommendation: The normal timing for applications going to the Landmarks Commission should be reduced from five to six months to no more than seven weeks.*

ZAB Actions: Some landmark application also need action by the ZAB. In this case Landmarks Preservation Commission action is taken before the item goes to ZAB. However, given the membership of the Landmarks Preservation Commission, we see no reason why the Commission can't handle both the landmark issues and the ZAB issues for these applications. The only exceptions would be if an actual change in use finding or an EIR is required. The Land Use Planning Division staff should be able to provide whatever Use Permit expertise is needed for the Commission to act. If this seems too aggressive, Use Permits could be segmented into two types: those handled by the Landmarks Preservation Commission and those handled by the Zoning Adjustments Board.

Figure 19
Landmarks Preservation Commission Process



J. ZONING ADJUSTMENTS BOARD (ZAB)

The Zoning Adjustments Board makes findings and recommendations for granting or denying Variances and Use Permits, hears appeals of decisions to the Zoning Officer with respect to Administrative Use Permits, includes abatement of public nuisances, and may refer matters to a mediation or conflict resolution service prior to taking final action on an item. Mediation is provided free by East Bay Community Mediation. The ZAB meets on the 2nd and 4th Thursdays of each month at 7:00 p.m. at 2134 Martin Luther King, Jr. Way, 2nd floor Council Chambers. Agendas, staff reports, and minutes are posted online along with videos of the meetings and they can be watched live. Two Principal Planners split this function, handling one meeting each.

Process: The process for Use Permits is shown in Figure 20. Projects do not go to any meeting on a fixed schedule. Rather, they proceed to the agenda when staff indicates they are ready to go to a hearing. An applicant could force an item to the ZAB over staff objections, but this seldom happens.

Certain Use Permits cannot be issued by the Zoning Office and must be considered by the Zoning Adjustments Board. Notification requirements are similar to AUPs and must be given no fewer than 14 days prior to the hearing but no more than 30 days. The criteria for approval are similar to that for AUPs. If a decision of the Board is inconsistent with a decision of the Landmarks Preservation Commission, the inconsistent decisions shall operate as a denial of that project.

The Department has a four-page handout that describes the process and requirements. Starting in January 2016 many projects can be submitted by appointment on selected dates.

Findings: To approve a Use Permit, ZAB must find that the project would not be “detrimental” to neighbors or to the City’s general welfare, and make any other findings required by the Zoning Ordinance. Detriment is determined by:

For Residential Areas:

- Substantial loss of direct sunlight or privacy in a dwelling or an adjacent dwelling;
- Unreasonable obstruction of a neighbor’s significant view; and
- Construction that is incompatible with the scale and character of the neighborhood.

For Commercial Areas:

- Excessive traffic, noise or odors; and

- Incompatibility with surrounding businesses.

Requirements: Use Permits are specified in the Zoning Ordinance. They generally include:

- New buildings;
- Adding or removing dwelling units;
- Specific uses of existing or new commercial buildings including but not limited to: retail sale of alcoholic beverages, food service, smoke shops, pet stores; and
- Childcare centers.

Timelines for Use Permits (UP): Typical timelines for UPs are shown as 2 to 24 months. Actual timelines appear to be on the longer end of that range. These are the longest timelines we have seen for UP type approvals in our many studies. Several factors appear to be impacting these timelines including:

- It may take five or more days from when an application is received until it is placed on a planner's desk for analysis; a normal process accomplishes this in one day;
- Planners are not taking full advantages of Accela system;
- There is no use of electronic plans or electronic plan check;
- There may be a shortage of staff to process these cases; and
- Need for changes in the process.

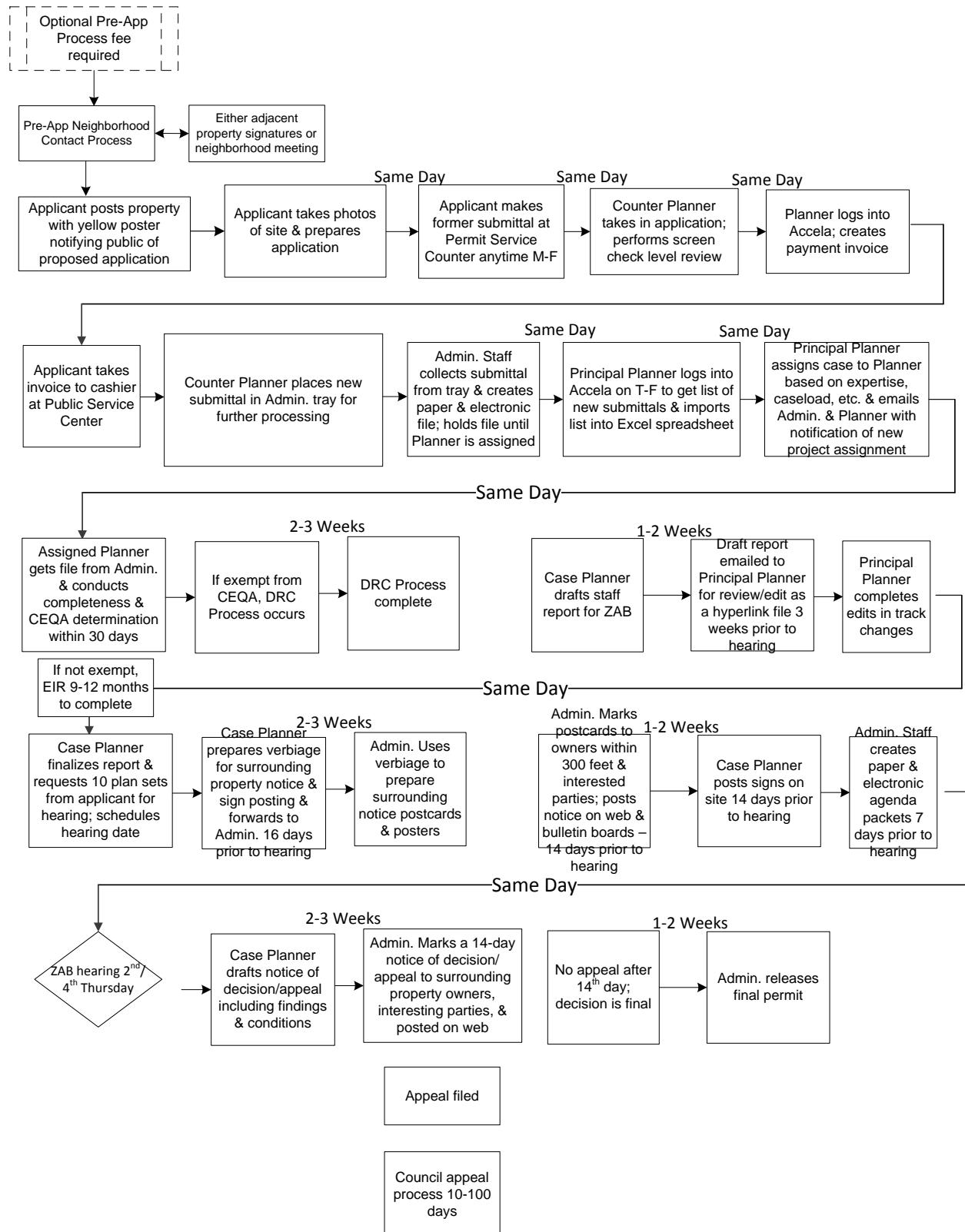
The existing timelines and our suggestions are shown in Table 16.

Table 16
Existing and Proposed Timelines for UPs

Tier	Typical Existing	Sampled Existing	Proposed
Modification, no hearing	2-4 months		1 months
Modification, hearing	4-6 months		2 months
UPHH, Tier 1	6-12 months		3 months
UPHH, Tier 2	9-15 months		3 months
UPHH, mixed use	12-24 months		4 months

121. *Recommendation:* The timeline performance standards for Use Permits should be as shown in Table 16. Timelines should be met at least 90% of the time.

Figure 20
Zoning Adjustment Board Process



K. APPEALS

Appeal Timelines

There is a 20-day appeal period for AUPs to be appealed to ZAB and a 14-day period for Use Permits to be appealed to the City Council. Having two types of appeal periods can be confusing for both customers and staff. Normally, we believe that 14 days or two weeks should be sufficient for all appeals.

122. *Recommendation:* Consider changing the appeal period for AUPs to 14 days.

Appeal Numbers

We heard from many people that citizens in Berkeley are so involved that there is a high level of appeals. However, as shown in Table 11, this is not the case. For FY 2016 there were five AUP appeals or only 3%, one DRC appeal for 4% and seven appeals for Use Permits or 9%. While not of great concern, it could be useful to examine the nature of Use Permit appeals to the City Council to determine if some changes in procedures or to the Zoning Ordinance may be in order.

123. *Recommendation:* A study should be conducted to examine the appeal of Use Permits to the City Council.

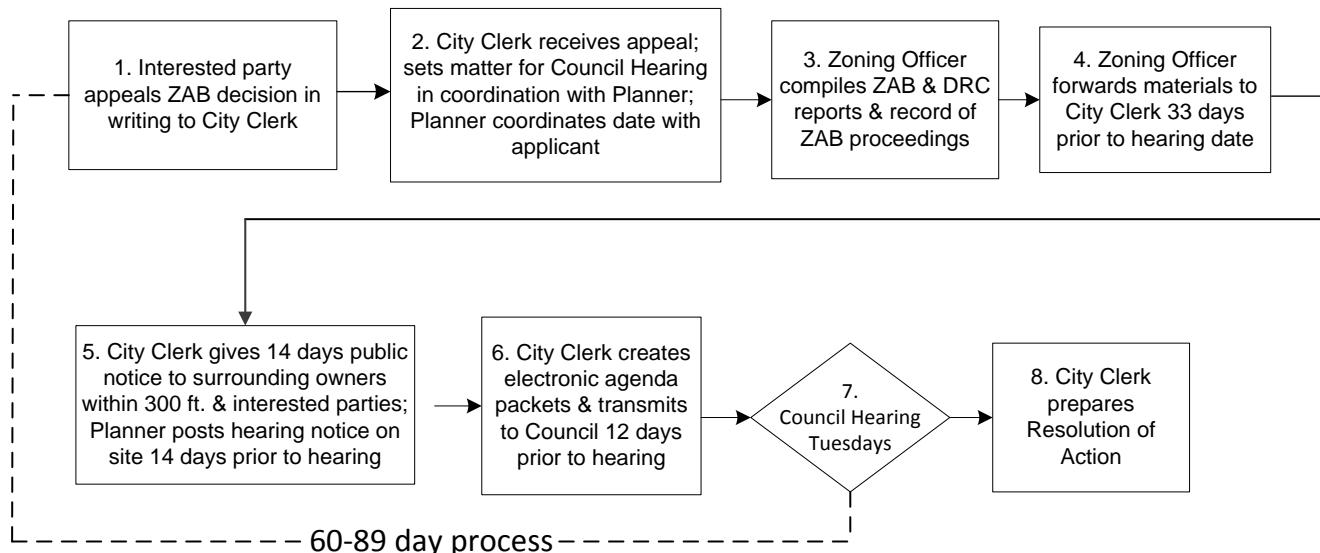
Appeals to City Council

Zoning Adjustments Board actions may be appealed to the City Council within 14 days after the mailing of the Notice of Decision. The process normally requires 60 to 89 days for processing. Since the staff work has already been completed, it should not be necessary for this long a timeline. The City Council will likely want to see the minutes from the ZAB meeting, but this should normally be available within three weeks of the hearing. It seems reasonable that these hearings should normally be scheduled within six weeks of the ZAB meeting.

124. *Recommendation:* Appeals of ZAB cases to the City Council should be scheduled within six weeks of the ZAB action.

The City Council Appeal process is shown in Figure 21 below.

Figure 21
City Council Appeal Process



VIII. TECHNOLOGY

A. INTRODUCTION

This section addresses the Department of Planning and Development use of information technology to support day-to-day and strategic decision making. Because of the Department's expressed concerns at the onset of this study, particular emphases have been given to the staff's interaction with:

1. The City's Accela Civic Platform permitting and licensing software system;
2. Other applications and technology needed to support permitting, inspection, and licensing operations;
3. Electronic document management; and
4. Geographic information systems (GIS).

B. GENERAL INFORMATION SYSTEMS ENVIRONMENT

Description

The City of Berkeley's current information systems hardware and network infrastructure can be categorized as being substantially up-to-date. It is maintained by the Department of Information Technology (IT), which reports to the City Manager's Office and serves the information systems needs of all City operations.

The Department operates a fiber optic, T1, and copper TCP/IP network for all City offices, including emergency service operations and the public library system. It operates multiple servers for LAN file management, email distribution, and various business applications. Network bandwidth and server capacity is deemed by staff to be sufficient for current needs, and the staff continuously monitors data flow volumes to enhance capacity as needed.

With a 40-person staff and a budget of over \$4 million, the Department of IT collaborates with all City departments for selection, procurement, and maintenance of software and hardware. The Department also conducts systems analysis consulting and applications development, as required by the various City departments it serves.

IT is responsible for the acquisition, maintenance, and support of many business enterprise software systems used throughout the City, including:

- Enterprise Resource Planning (financial accounting, accounts receivable, bill payments, cash management, etc.);

- Website Content Management;
- Personnel Management, Employee Payroll, and Pension Administration;
- Building Permitting and Inspections; and
- Business Licensing.

The Department's "portfolio" of software applications is diverse, in both age and technologies incorporated. For example, the current Enterprise Resource Planning (ERP) "FUND\$" system is over 26 years old and is considered a "legacy" product requiring its own unique computer, operating system, and support staff skills (it will soon be replaced), while the Accela permitting/licensing system's online features use the latest technology.

The Department purchases and owns, rather than leases, its equipment and generally maintains a regular five-year desktop PC replacement cycle. With the exception of some of the GIS and graphics workstations, the PCs in use appear to have adequate power, storage, and software configurations to accommodate their intended usage. Desktop PCs used by the Department of Planning and Development staff are typically installed with Microsoft Windows 7 Professional and the Microsoft Office Professional 2013 Plus. We were particularly impressed with the generously sized 23-inch monitors that are routinely deployed for all desktop computers.

IT maintains the servers used for networked Microsoft Office document/data storage and for hosting the Accela "Land Management" and "Licensing & Case Management" modules, which are tightly integrated with the City's Microsoft SQL Server database installation. IT supports the SQL Server database and oversees all licensing and support activities with the Microsoft, Accela, and other corporate vendors. The Department also retained a third-party vendor to assist them with Accela implementation and later support.

C. OBSERVATIONS AND ISSUES

IT/Planning Interdepartmental Coordination

The IT Department is in the later stages of migrating from its centralized AS/400 minicomputer roots. In doing so, it has passed through a long period of gradual decentralization and has transformed itself into a service organization that maintains a distributed PC network in support of a wide variety of departmental and citywide enterprise applications. IT must act in the dual and sometimes conflicting roles as the central data custodian ("gatekeeper") and as a service-oriented consultant to its clientele.

In the selection of new or replacement business systems, IT and the City Manager's Office are often placed in the difficult position of prioritizing departmental and

enterprise software requirements--as well as managing costs, overseeing procurement, and controlling vendor sales contacts. In this capacity, Information Technology management and staff are confronted with the routine challenges of seeking and applying interdepartmental technology solutions in order to avoid the hodge-podge of custom-programmed and multi-vendor departmental applications—while avoiding the perception of its users as being “rigid.” We believe it has succeeded in meeting this challenge.

General Accela Implementation Issues

The relationship between Planning and IT has been forged by the recent years' implementation of Accela. This has been a major undertaking, one that represents the City's first major new enterprise software implementation since 1990. Many Accela implementation challenges remain, most of which are related to:

- Major missteps in the original Accela Land Management system implementation including the deployment of unreliable modules, configuration errors, and the overnight switchover to the new system;
- The relatively high degree of complexity in the Department of Planning and Development's business processes, *e.g.*, the number of required zoning application reviews and the complexity of fee calculations;
- Minimal and ineffective user training prior to switchover with no follow-up; and
- Inadequate staff resources during conversion a factor that was worsened by staff turnover in both IT and Planning departments, along with the "poaching" of two highly qualified IT staff members by Accela.

Although the conversion itself has had many troubling issues, it appears to have actually brought the two organizations closer together in a collaborative fashion. Over the past months, IT and Planning have been working to gradually fix bugs, reconfigure software, and redeploy those system features that were creating problems. This effort included the participation of a consulting firm that produced a detailed and extensive punch list of Accela corrections. This list, along with additional observations by staff, is forming the basis of a roadmap leading to a more acceptable level of success.

Part of the City's intention to replace its original permitting and licensing systems with Accela was to enhance customer service levels, improve internal efficiencies in

processing applications, and provide better data capture and reporting. Irrespective of the challenges described above, the implementation of several key web-based ("portal") and electronic ("paperless") plan check permit system enhancement recommendations, discussed later in this section, will require continued collaboration between the two organizations and will depend on maintaining a solid, creative relationship. Additionally, the implementation of a variety of process changes will require some Accela system changes as well.

125. *Recommendation:* The IT and Planning department staffs should continue to maintain their solid, collaborative working relationship in order to successfully complete the Accela system conversion and provide continuing support to staff.

Another, more serious, issue was Planning staff training for Accela prior to system switchover. Adequate training is essential to the successful completion of the Accela implementation and the reliability of its long-term use. This training needs to be ongoing. Some cities we have worked with have even established programs for training, testing, and certifying newly hired staff members in the use of their permitting systems.

126. *Recommendation:* Establish a formalized Accela user training program, particularly for new staff members.

Greater utilization of direct user online application capabilities will require higher levels of community outreach, promotion, and training. Some communities have a system in place to sit with an applicant who does not use the online system, and walk them through their application.

127. *Recommendation:* The IT and PD departments should establish a public outreach program to encourage and train applicants in the use of the online application capabilities.

More specific permitting system issues are recommended later in this chapter and throughout the Land Use Planning and Building and Safety Division chapters.

PC Replacement and Desktop Software Upgrades

Future IT plans are to phase-in the implementation of Microsoft Office 365 after 2017. Eventually, newer PCs will be provisioned with Microsoft Windows 10. Though specific implementation schedules have not been established, these actions are inevitable; and it is important that all appropriate preparations are taken to make

this conversion as smooth as possible. This is particularly true for Office 365, which contains many substantial functional and user interface modifications from its predecessors. Our experience with other clients has shown that some very basic training classes can overcome many of the learning curve issues that would otherwise be experienced by users.

128. *Recommendation:* As conversion plans proceed, prepare live or online training courses as a part of the Microsoft Windows 10/Office 365 implementations.

Network Performance and Reliability

Planning Staff questionnaires and interviews revealed no network performance or reliability issues under current circumstances. The simple Internet bandwidth test we routinely perform yielded excellent results. Our experience with other clients has been that network performance can be particularly susceptible to the higher incidence in use of high-bandwidth applications such as videoconferencing; GIS; 3D simulation; and the viewing of high-resolution maps, massive documents, and other large images. While our observation was that the Planning and Development Department's demands for high-bandwidth are generally limited, it is almost certain that demands on the network will increase.

(At the time of this analysis, the Department of Planning and Development was scheduled to relocate to an existing City office building located within a block of its existing offices. It is assumed that this new location has equivalent network capabilities and bandwidth.)

129. *Recommendation:* Continue to monitor the performance and reliability of the network and make adjustments as necessary.

Timekeeping, Project Management, and Activity Tracking

Berkeley uses the legacy FUND\$ enterprise resource planning system for hourly time reporting by all City employees. This involves the use of paper timesheets that are filled out, collected, approved, and input into the system for subsequent time reporting and payroll activities. The procedures to support this outmoded system were a common complaint found in the staff surveys. The Department of Information Technology intends to replace this system with updated technology and is in the process of final vendor selection. Contemporary systems, such as the candidate products IT is considering, provide for online entry of employee time data and will be capable of capturing greater detail such as project and activity codes. If configured

correctly, these features will allow Planning management to evaluate time utilization and project resource requirements.

130. *Recommendation:* Coordinate with IT to configure the City's future timekeeping system to track specific projects and activity types.

Observations and recommendations presented in earlier chapters of this report also stressed the importance of tracking events associated with second-and third-cycle plan reviews. It is important that, when activating the Accela system's event tracking features, provision is made for including second, third, and possibly later iterations of plan checking, with associated time requirement standards for each cycle.

131. *Recommendation:* Configure the Accela system's event tracking features to include second, third, and subsequent plan review cycles.

Telephone System

The City has recently updated its office telephone system with state-of-the art VoIP telecommunications using Avaya desktop units. The phones used by PD are capable of handling eight lines and include intercom, speakerphone, teleconferencing, call forwarding, and most other features expected from a modern system. The City's telephone PBX system accommodates centralized voicemail. Employee surveys and interviews indicated no technical issues with the telephone system. Nevertheless, it was observed that the system does not currently provide voicemail speech-to-text transcription with email message forwarding. This feature is extremely convenient. It saves time, enables quicker responses, and maintains a written record of all messages.

132. *Recommendation:* Implement voicemail speech-to-text transcription with email forwarding.

Meeting Scheduling

The Department of Planning and Development makes extensive use of the calendar features of Microsoft Outlook for scheduling staff meetings and managing conference room utilization (its level of sophistication in the use of Outlook for scheduling far exceeds any we've seen before). This serves as an example of how the Department can become fully engaged in a technological resource when staff is confident in its reliability. Nevertheless, some staff members expressed annoyance that there are exceptional cases of staff members ignoring meeting requests or not responding in a timely fashion. This is a management issue, not a technology issue. If these concerns grow and persist, the Department will need to consider policies or procedures for replies and follow up to meeting notifications.

Email Storage Limitations

Staff questionnaires indicated dissatisfaction regarding the 250Mb limitation on the size of each employee's email storage capacity. While this figure might seem adequate, City staff members working with construction, redevelopment, and planning issues generally utilize significantly larger plans, maps, videos, and other documents. This limitation hampers planners' ability to receive and organize large email attachments and impedes the conduct of normal business. It forces staff to rely on FTP services for sending and receiving, which is usually inconvenient to citizens and smaller businesses or outside agencies.

Discussions with IT staff indicated that this limitation is caused mainly by the department's current use of an older email server with an outdated version of its supporting software, Microsoft Exchange. This has resulted in the need for file size rationing as a measure to avoid exceeding server storage capacity, which has resulted in a file size limitation that uniformly applies to all City departments, regardless of need.

Current IT plans are to update the City's email infrastructure in 2017, including the latest version of Exchange Server. It is important that file size limitations be removed or significantly increased for Planning Department activities.

133. *Recommendation:* The Department of Information Technology should proceed as planned to update its email infrastructure, particularly its storage capability. If IT believes that attachment size limitations will remain as an issue, it should modify its policies to allow greater flexibility based on a department's business functions and need.

D. PERMITTING AND LICENSING SYSTEM SOFTWARE

Description

In 2014 Berkeley began to replace its original permitting and licensing software, developed by HTE Software (later acquired by Sungard and then Fidelity Information Systems) and utilized for 24 years. Concerns for the HTE system that led to its replacement included its limited capabilities and user interface obsolescence, lack of continuing vendor support and development of new capabilities, and its status as a "legacy system" requiring highly specialized hardware and maintenance programming in a computer language that is diminishing in common use. Like many public-sector enterprise systems introduced in the 1980s or earlier, the HTE system's permitting, inspection, and licensing modules had substantially limited features when compared to those of current products.

With Planning assistance, the City's Information Technology Department selected and initiated implementation of the Accela's Licensing, Case Management, and Land Management modules as a replacement to the non-accounting portions of the HTE system. It was initially deployed for business licensing and two years later expanded to include the Planning functions of building and planning permitting/inspection. There are approximately 350 Accela staff users in Berkeley.

Accela Issues and Recommendations

As mentioned in the opening of this chapter, the conversion from the HTE Software system to the Accela Civic Platform, first initiated in 2014 for business licensing and extended to the Department of Planning and Development in late 2015, has been troublesome and is not yet complete. Substantial effort has been made in recent months to correct the many conversion issues that remain. (In fact, these adjustments and corrections are being made so quickly, that we would expect that many of the specific issues pointed out in our meetings are likely to be fixed by the time this report is issued.)

Additionally, in response to staff and public concerns for the implementation, the City contracted with the consulting firm, TruePoint Solutions, to provide specific evaluations of selected features and to issue recommendations. TruePoint Solutions' report, issued in July 2016, provided 91 specific recommendations at various levels of suggested priority. Some of these recommendations appeared to be rather mundane "quick fixes," such as adjustments to screen design or dropdown list item sequences; others were broad and complex, such as "Visit all the [Zoning] workflows to determine if they can be scaled down." The TruePoint report has contributed to the City's efforts to rectify the Accela issues, but further effort is needed to review the priorities of its recommendations and integrate them into an overall implementation timetable.

In addition to the earlier described general issues, more specific observations and issues have included:

- **Complexity.** While Berkeley is not one of the largest cities using Accela, it is easy to underestimate the complexity of implementation. The City faces many of the same issues, such as mixed use development projects, experienced in other much larger urban centers in California and throughout the U.S. Additionally, many in Berkeley consider the City to be nuanced and unique with respect to the public accountability of decisions made by staff and elected officials. These add to the challenges of adapting a packaged software product its specific requirements.
- **User Interface.** The current array of Accela modules used in Berkeley are "thick client" applications that have their basic origins in the 1990s before the wide use of larger, flat screen monitors. The somewhat dated appearance of Accela's input screens affect usability of the application. While screen size, tab arrangements,

outmoded graphic style, typography, and other cosmetic features do not affect system performance; they can result in eye strain, which increases users' resistance to its use. IT and Planning department staff are currently planning to deploy a more modernized, browser-based Version 8.0 user interface that will provide a more contemporary interface.

- **Adaptation to Berkeley Specific Business Processes.** Discussions with IT and Planning staff indicated that the original Accela implementation was configured, as best possible, to replicate the business processes and data capture that were accommodated by the original HTE FUND\$ system. Whether successful or not, this resulted in the need for a significant number of "workaround" procedures to make the new system work. Approval process streamlining is addressed throughout the other sections of this report, and the potential of reducing or simplifying workflows, fee calculations, and other business processes will improve the performance level and reduce the maintenance requirements for Accela.
- **Accela Support.** Turnover in the City's IT staff undoubtedly affected Accela's support levels adversely during the earlier stages of implementation, but we believe this has been largely corrected. We also observed that the Department of Planning and Development has a number of computer savvy staff members, some of whom having extensive Accela experience in previous employment. The engagement of TruePoint Solutions to evaluate specific issues also reflects the City's commitment to achieve a more successful implementation.
- **Accela Training.** As mentioned at the beginning of this chapter the level of pre-deployment user training was deemed as inadequate. Although IT has extensive training resources, staff members felt that training was poorly executed and too short in duration, barely scratching the surface of the system's complexity. One specific observation was that training was conducted with a highly limited test dataset, so that trainers were not able to present an accurate depiction of what would be experienced by users after the system "went live." Our past experience with this issue has shown that computer system user training is far more effective when full (replicated) data is utilized.
- **Electronic Plan Check.** Accela has an electronic plan check (EPC) module that allows building plan checkers to markup drawings and write comments on electronic images of blueprints, using a large screen monitor, rather than on paper. The intended result would be the elimination of large, multipage paper rolls of drawings that must be received, handled, moved, and stored. The PSC staff currently receives PDF file images of the drawings from the applicants, in-person, on memory sticks or chips. Updated or supplemental drawings can later be submitted online. The Accela EPC module has been a failure, due to its inability to process certain "flavors" of PDF file formats: some of the PDF files generated by

the various software products used by design firms cause the EPC module to crash unexpectedly. As a result, the PSC staff has abandoned the Accela EPC use and is using the more resilient Adobe Professional software product instead. While this workaround has allowed staff to continue with electronic plan checking, it has been done so with sacrifices in functionality. The City will need to either work with Accela to correct this situation or purchase one of the several third-party plan check products that can be integrated with Accela. Additional commentary on this issue is presented in the Building & Safety chapter of this report.

- **Inspection Module.** Inspectors have expressed a high level of satisfaction with the Accela iPhone application used in the field to track and input data on building inspections. There appear to be some issues with scheduling errors and the high number of inspection types, but these are not related to the software itself. Another issue that was pointed out was that applicants are finding it hard to determine the assigned inspector territory in which their project is situated. Evidently, while this information is located on the permit itself, it is not carried over to the online inspection request screens. A final issue is that building plans cannot be made available to inspectors for iPhone viewing due to browser incompatibility. This issue is closely related to the electronic plan check issues described above and in the Building & Safety chapter.
- **Minimal Use of Accela by the Land Use Planning Division.** The City's Land Use Planning Division makes only minimal use of the Accela system, using it mainly to perform basic data entry functions in order to comply with reporting and data tracking requirements. As an example of this suboptimal situation, the Division's zoning application data is now being entered and tracked on three different software systems. Accela, a Microsoft Excel spreadsheet, and the Ektron web hosting system for viewing by the public. This redundancy is time consuming and error prone. Best practices would be to enter the data once in Accela and develop technical procedures to share appropriate data with the Department's web portal. Standard or customized Accela reports can easily match and eclipse what is currently being performed with Excel. Accela's workflow, event tracking, and reporting features are intended to assist the staff in managing their day-to-day work and should be utilized.

Overall, the Accela system is considered to be one of the most highly regarded products available in its category, but it is considered to be a "high maintenance" product. We have experienced similar conversion and implementation issues with other clients that can be usually attributed to unrealistic promises, staff turnover, underestimation of the degree of difficulty, and overextended vendor resources. In specific response to the failures of this mission critical system, IT and the departments using Accela have expended an extraordinary level of effort to correct the situation. These will be lessons learned as the City proceeds into the replacement of its FUND\$ ERP software.

134. *Recommendation:* IT should provide an Accela experienced systems analyst as a project manager working in the Planning office to oversee completion of Accela's implementation. After completion (estimated 6 to 12 months), it may be appropriate to reassign the analyst to other departments such as Public Works and Fire.

135. *Recommendation:* Configure and roll out the updated "thin client" Accela version 8.0 UI that provides an updated user interface and can be more easily configured to meet the specific needs of the Department.

136. *Recommendation:* Require mandatory training with follow up support for all new City staff members using Accela.

137. *Recommendation:* Find a permanent solution to accommodate and enhance the use of electronic plan checking by the Building Review staff.

138. *Recommendation:* Complete the implementation of Accela for the Land Use Planning Division's staff and work with them to eliminate (or reduce substantially) their dependence on the use of Excel spreadsheets to manage their applications.

139. *Recommendation:* Install a large-format monitor for use by Land Use Planning Division, which will allow them to review application drawings. Eventually, extend electronic plan check to Zoning.

Additional Accela-related recommendations are presented throughout this report, within the various chapters related to each of the major Planning functions.

GIS Interface

Accela provides a highly functional GIS mapping interface to its desktop modules. This interface provides property location mapping along with owner information, legal description, site data, land use data, and other address-specific information. It also provides linkages to zoning districts, political boundaries, and similar information. When functioning at its intended level of capability, this feature allows users to not only view maps and parcel data, but to populate fields in their application forms and other related data entry screens. This feature has already been activated and is available for use by City staff, however, a staff has indicated that many of the auto-population input features are not working. This observation also appears in the TruePoint Solutions report. TruePoint has also observed that the Accela GIS interface operates slowly. The Accela GIS interface is considered to be one of the best

available in the licensing/permitting software market. Fixing this module will significantly improve the performance of the overall system.

140. *Recommendation:* Evaluate performance and establish full functionality of the Accela GIS interface module, particularly its data auto-population features.

Online Plan Submittal and Inspection Scheduling

Although the City has established a portal of online applications, all planning and construction permit applications and many business and health license applications still require (at least initially) in-person submittal at the Permit Service Center or other facilities. The existing Accela software provides the capability of online submittal for many permitting and licensing categories. The online submittal features, however, have not been fully activated. Currently, the portal provides extensive status lookup features for ongoing or completed applications. It also accommodates uploading of related document files for applications that have been entered into the system (following the initial, in-person submittal). Full implementation of these features will result in greater convenience for applicants and reduce staff workload at the PSC.

141. *Recommendation:* Implement the Accela Mobile Online Forms and Online Payments capabilities, starting with routine permit applications or licenses such as water heater replacements, roofing permits, inspection requests, and pet licenses.

The portal also allows applicants to schedule, reschedule, and cancel inspections online. No concerns have been expressed regarding its functionality.

E. ONLINE ZONING ORDINANCE

Codification of Berkeley's Zoning Ordinance is performed by Code Publishing Corporation as Title 23 of the City's Municipal Code. As a part of its codification codebook publishing services, Code Publishing also maintains an interactive website for staff and public access to the Ordinance, along with all other portions of the Municipal Code. While the online Code is serviceable, its formatting is staid and its level of interactivity is very limited. Newer developments in online codes are available with features, such as:

- Provide greater degrees of interactivity, including extensive hyperlinking and automated popup windows displaying definitions,
- Improved word search capabilities,

- Improved and highly readable tables,
- Capability to present charts and illustrations,
- Shortcuts to frequently used code sections, bookmarks, and significant tables.
- Linkage to Zoning Maps and interactive calculators that help determine site capacities, parking regulations, and landscape requirements.

These features are particularly advantageous for older, more complicated codes that are difficult to navigate and contain potentially contradictory repetitions. .

142. *Recommendation:* As a part of its current Ordinance update process, consider the implementation of an advanced online Zoning Ordinance presentation system.

F. ELECTRONIC DOCUMENT MANAGEMENT

Electronic document management is essential to modern government, and Berkeley has installed the OnBase document management system for use throughout the City. It appears, however, that OnBase is not being used in the Department. Nevertheless, Department of Planning and Development staff is diligently scanning all application-related documents and saving them as PDF files to a local area network folder that is available throughout the Department (the "G-Drive"). Folders and subfolders are organized on the drive in hierarchical arrangements by street names and addresses. While this practice is commendable and the files are widely used by staff, there are three shortcomings.

- It is easy for administrators or staff to accidentally misplace or delete a file, group of files, or even an entire folder--and not realize that the files are missing until days or weeks later when it is too late to recover them from IT's backup media. Even when backups are available, the replacement or correction procedures are difficult and time consuming;
- The files are scanned, pixel images of the original documents and are not indexed. Searching them for specific information can be time consuming; and
- Organizing the documents by street address can be susceptible to inconsistency and miscoding. It also creates issues when documents are related to more than one street address.

It is because of the reasons above that specific document management software products such as OnBase were developed and deployed. The IT Department is updating its citywide IT Master Plan, and the preliminary draft indicates the intent to focus on updating its enterprise document management system in 2021. In the

meantime, the Department of Planning and Development should work with IT to address any potential security issues and look for ways to improve current practices.

143. *Recommendation:* Work with IT to review access rights, storage, backup, and recovery of project-specific documents that are maintained on the DP Department's network drive.

144. *Recommendation:* Consider implementing the City's existing OnBase document management software to maintain the scanned project documents. Alternatively, consider the use of an indexed intranet or "cloud" based search service as a host.

145. *Recommendation:* Ensure that the product or environment eventually selected by IT to redeploy citywide document management capabilities is compatible with Accela to provide optimum integration and usability by the Department of Planning and Development.

G. GEOGRAPHIC INFORMATION SYSTEMS

Berkeley uses ESRI's family of GIS software products throughout the City, and the Department of Information Technology staff maintains an array of commonly used citywide layers. The IT Department will soon be initiating a comprehensive GIS planning study that will evaluate the overall needs of the City and to update internal GIS software deployment policies, strategies, and procedures.

IT maintains a substantial online GIS presence with its "Map Room" website. It also maintains an interactive, cloud-based mapping system hosted in ESRI's ArcGIS Online environment. This service is titled as the "City of Berkeley 311 App" and is linked to the City's comprehensive "Open Data Portal." The 311 App includes many layers of information including park and recreational facilities, business licenses, city facilities, citizen complaints/requests (CRM). At this time, the 311 App does not provide linkage to zoning map coverage or PD application information.

146. *Recommendation:* Expand the "City of Berkeley 311 App" to include zoning map coverage and linkage to Department of Planning and Development application data. Provide training to Department staff to optimize and expand its usage.

ArcGIS is used by several staff members in the Department of Planning and Development to conduct spatial analysis and to generate project related maps and presentations. We heard complaints from several staff members that their standard

issue desktop computers lacked the processing power to handle large datasets or to fully utilize the capabilities of their software. Requests for a more powerful computer were denied over concerns that it would establish an undesirable precedent and open the floodgate for similar requests by users of other high resource demand software products. We have encountered this issue with several of our previous clients, and they have found ways to establish and enforce fair guidelines that allow for flexibility in PC workstation assignments.

147. *Recommendation:* Establish and implement more flexible policies for assigning higher-performance PC workstations to GIS power users.

H. WEBSITE

Internet websites have become an important part of government agencies communicating with their citizens and increasing efficiency of operations. Overall, we have been impressed by the interactivity and comprehensive nature of Berkeley's website and the care taken to maintain the currency of its general content. Our main concerns were that the site design and organization, composed to fit tightly on obsolete 600x800 pixel CRT monitors, is outdated. This has constrained the site's ability to deliver content efficiently and with a minimum number of clicks by the user. Also, as the site's content has increased incrementally, the number of menu items on some pages has grown to the point that items have become disorganized and hard to find. Another observation was the lack of consistency in the amount of content presented in the various pages; some pages contained only two or three lines of information, while another might require extensive scrolling to accommodate its content.

Confirming these observations, the interviews conducted and questionnaires received in this study have indicated intense dissatisfaction with the website. The Department of Information Technology is now in the early stages to reevaluate its website requirements. The current web content management system (CMS) software, Ektron, is no longer supported by its vendor and will be replaced by a new product, and the entire website will be replaced. While we have included a few website recommendations in other chapters of this report, for this reason we have not conducted a comprehensive evaluation of the City's website and the pages that apply to the Department of Planning and Development's operations.

An attractive and highly functional website is crucial to the effective public outreach of the Department, particularly in its permitting and licensing activities. It is important that all information pertaining to permitting or licensing requirements be available and concisely presented to potential applicants online, as these resources can reduce the need for direct contact with staff (telephone or office visits) to deal with routine

issues. It can also reduce the number of errors in the permitting and licensing processes.

With the earlier recommendations for the expanded use of Accela for online application submittal, it is important that the new City website be closely integrated with the permitting and licensing systems so that it can be easily found and utilized.

148. *Recommendation:* The Department of Planning and Development should coordinate with the City's web development resources to provide clear and robust linkage between the PD's portion of the new website, Accela's online features, and expanded interactive GIS coverage.

I. INTERACTIVE CITIZEN DEVELOPMENT ASSISTANCE SERVICES

When citizens make plans to start a business or initiate a home improvement project, they're confronted with complex requirements from the City: multiple permits from different departments, each with its own terminology and procedures. Larger developers, contractors, and permit expeditors know how to navigate these processes, but non-professionals are often left behind. Their lack of experience can lead to delays and missteps that can impede projects and hurt the image of the Department and the City as a whole.

A number of interactive, cloud-based software services have been developed in recent years that can assist potential first time or infrequent applicants determine their permitting requirements and sequence, estimate their fees, and take steps needed to initiate their projects. Cloud services, such as OpenCounter or EnvisionPlus, are available on a subscription basis to *supplement* the features of a jurisdiction's permitting software. Provided capabilities include:

- Required involvement with various agencies or departments and their permitting requirements,
- Agency contact information,
- Sequence of required permits,
- Estimated timelines,
- Permit fee estimates,
- Zoning requirements.

The features of these online services are particularly attractive from an economic development standpoint, and can even provide a strategic advantage to the City in attracting new businesses. The Department should look further into the implementation of these services.

149. *Recommendation:* The Department of Planning and Development should evaluate the potential need and effectiveness of cloud based, online Citizen Development Assistance services.

IX. EMPLOYEE PERCEPTIONS

Two confidential questionnaires were completed by many of the employees in the Department of Planning and Development and related departments as summarized in Table 17.

A short, closed-ended anonymous questionnaire (shown in Appendix B) was completed at a staff meeting by 36 employees and collected by the consultants. The raw scores and tallies of this survey are also shown in Appendix B along with employee's comments.

A longer questionnaire (shown in Appendix C) was completed by 34 employees and was emailed to the consultants in San Diego to assure confidentiality. In most of our studies, only half of the employees that complete the short questionnaire take the time to complete the long questionnaire. Information obtained from these questionnaires was essential to our analysis.

Table 17
Number of Employees Responding to Questionnaires

Function, by Division/staff	Number of Short Questionnaires	Average Response to Short Questionnaire	Number of Questions With Averages Under 3.0	Number of Long Questionnaires
Building and Safety Division	6	3.77	11	6
Fire Department	2	3.13	10	0
Land Use Planning	12	3.05	22	21
Permit Service Center	7	3.06	14	5
Permit Service Center Managers	4	3.41	11	1
Public Works	2	3.22	12	1
Public Works Managers	3	3.77	3	0
TOTAL	36			34

The short, closed-ended questionnaire consisted of a series of statements to be rated by the managers and employees. Responses were tallied and averaged, and the raw scores are displayed in Appendix B. The statements were designed to elicit the mood and feelings of each employee about the overall division or department excellence. For each of the 35 statements, the employee was asked to respond as follows:

- | | |
|-----------------------|--------------------|
| 1 – Strongly Disagree | 4 – Somewhat Agree |
| 2 – Somewhat Disagree | 5 – Strongly Agree |
| 3 – Neutral | 6 – Not Applicable |

Generally, the higher the rating (*i.e.*, 4's and 5's) the better the employee perceives the subject area and the more excellent the division or department.

We've conducted this survey in many planning and building departments and divisions. Generally, a score below 3.0 is an indication of issues that need to be addressed. We like to see average scores in the high 3's and 4's. We believe that the scores give a reasonably accurate assessment of the employee's view of their division or department.

Questions with average scores below 3.0 are discussed below.

Boards and Commissions

Building and Safety (2.67), Land Use Planning (2.78), and Permit Service Center (2.25), were all negative regarding the Planning Commission. **Question 28.** *The Planning Commission works well and is effective.*

Building and Safety (2.67) and the Permit Service Center (1.67) were both negative regarding the Zoning Adjustments Board. Land Use Planning staff members that works with them was more positive with a score of (3.36). **Question 29.** *The Zoning Adjustments Board works well and is effective.*

Land Use Planning (2.75) and the Permit Service Center (1.67), were both negative regarding the Landmarks Preservation Commission. Building and Safety (3.0), was more positive with a score of (3.0). **Question 30.** *The Landmarks Preservation Commission works well and is effective.*

These issues will be reviewed as part of this study.

Development Process

Question 22. *Permit and development processes in the City are not unnecessarily complex nor burdensome on the applicant.* All three divisions handling development in the Department of Planning and Development had negative scores on this question,

Building and Safety (2.00), Land Use Planning (1.67), and Permit Service Center (1.86).

Question 24. *Application review in the City is undertaken in a consistent manner.* This question is closely related to Question 22 and had low scores for Land Use Planning (2.42), Permit Service Center (2.00), and the Permit Service Center Managers (2.50).

Question 21. *The City has a clear and coordinated development review and plan checking process.* This question had low scores for Land Use (2.64), and the Permit Service Center (2.71).

This indicates that in addition to any issues the customers may have with the process, staff also has issues with the process. Providing clarity to the processes is a key part of this study.

Engineering

Question 35. *Engineering reviews are reviewed in a short and timely way.* Low scores were recorded for Building and Safety (2.50), and Land Use Planning (2.67). Interestingly, others had higher scores including the Permit Service Center (4.00), Public Works (4.0), Public Works Managers (3.67), and Permit Counter Managers (3.00).

While this issue will be partially addressed in this report, a meeting with the key players could be useful to address timing issues.

150. *Recommendation:* A group meeting should be held to address Engineering review timing issues.

Fire Department

The Fire Department had additional low scores on the following five questions:

Question 1. *Our Division seeks to identify problems quickly. (2.50)*

Question 2. *When problems are identified, our Division moves quickly to solve them. (2.00)*

Question 7. *We have a strong emphasis on training in our division. (1.50)*

Question 14. *We have an efficient records management and documentation system in our Department. (2.00)*

Question 15. *I am satisfied with the type of leadership I have been receiving from my supervisor in our Division. (2.50)*

These questions will be reviewed as part of this study. In addition to training and records management concerns, it appears some management issues should be addressed.

Land Use Planning Division

This is a key division in the development process, and it had low scores on a number of important questions not covered in other topics including:

Question 6. *Managers in our Division encourage and advance new ideas from employees (2.91).*

Question 7. *We have a strong emphasis on training in our Division (2.58).*

Question 8. *Management in our Division discusses objectives, programs and results with employees regularly (2.75).*

Question 9. *There is free and open communication in our Division between all levels of employees about the work they are performing (2.83).*

Question 11. *Our Division encourages practical risk-taking and supports positive efforts (2.40).*

Question 14. *We have an efficient records management and documentation system in our Division 2.50).*

Question 17. *I am kept abreast of changes that affect me (2.75).*

With the exception of **Question 17** and records management, all of these questions address supervision and management issues. They are extensive enough that some special attention needs to be given to the topic.

151. *Recommendation: The Planning Director should hold meetings with employees in the Land Use Planning Division to isolate key areas needing improvement. If necessary, an outside facilitator should be used.*

Long Range Planning

Question 27 addresses long range planning with scores below 3.0 for Building and Safety, Fire, Land Use Planning Division, and the Permit Service Center. #27. We are doing the right amount of long range planning. (2.25)

Question 31. *The Plans we prepare for the City are good (2.86).*

We concur that there is likely need for more long-range planning and maybe better plans as discussed elsewhere in this report. However, we are not under contract to advise the City on its plans.

Permit Service Center Managers

In addition to Permit Service Center Managers having low scores in a number of the other categories, several questions relate directly to these four managers including:

Question 17. *I am kept abreast of changes that affect me (2.75).*

Given the importance of the Permit Service Center, it is critical that PSC managers are kept well informed.

152. *Recommendation: The Building and Safety Manager should meet with the Permit Service Center manager to discuss how to close any communication gaps.*

Public Works

In addition to Public Works scores on the other topics, a number of low scoring questions were specific to Public Works including:

Question 1. *Our Division seeks to identify problems quickly (2.50).*

Question 2. *Problems are identified, our Division moves quickly to solve them (2.00).*

Question 3. *Our Division has an effective process for listening to citizen or client concerns (2.50).*

Question 7. *We have a strong emphasis on training in our Division (2.50).*

Question 12. *Our Division has a clear sense of what its programs are trying to accomplish (2.50).*

Question 13. *We do our jobs very well in our Division (2.50).*

Question 14. *We have an efficient records management and documentation system in our Division (2.50).*

While these responses deserve some analysis within Public Works, they are based only on the responses of two people and this can impact the results.

Additionally, the Public Works Managers had a low score on **Question 19.** *I am aware of standard turnaround times in our Division for processing plans and permits*

as communicated by my supervisor (2.0). It is essential that this issue gets resolved, and this report will make specific recommendations for Public Works timelines.

Records Management

Question 14. *We have an efficient records management and documentation system in our Division.*

This question had negative scores for Fire (2.0), Land Use Planning (2.50), Permit Service Center Managers (2.25), Public Works (2.50), and Public Works Managers (2.33). This question relates to how the Accela system is being used and should be addressed in that context. Lacking a solution, it may be useful for the City to hire a records management expert.

Staff Shortages/Processing Times

Question 16 was, *I have enough time to do my work as it needs to be done.* Scores below 3.0 were recorded for all seven of the sections or divisions including both managers and employees. When managers score low on this question it may be a sign of lack of dedication.

Closely related to **Question 16** was **Question 20**, *I am able to meet standard turnaround times for processing plans and permits in our Division as communicated by my supervisor.* All five staff sections or divisions had scores below 3.0 for this question.

Also of interest was **Question 33**, *Building permits are reviewed in a short and timely way.* All five staff sections or divisions had scores below 3.0 for this question.

Question 34 had negative responses by five sections or divisions. **Question 34**, *Planning applications are reviewed in a short and timely way.*

Question 23 had negative responses for all but Fire and Public Works. **Question 23**, *Applications are reviewed in the City in a timely manner.*

Staffing levels and processing times will be examined throughout this report.

Teamwork

Question 18. *There is good teamwork and communication between the different departments, division, or organizations conducting development review, plan checking and inspection in the City.*

This question addresses typical so called SILO issues and the need for better communication across all functions. Low scores were recorded for Land Use Planning

(2.92), Permit Service Center (2.0), Permit Center Managers (2.75), and Public Works (2.00).

This report will have specific recommendations to address this issue.

Zoning and Development Code

Question 32. *The Zoning and Development Code is good.* This question had low scores for Building and Safety (2.67), and Land Use Planning (2.08), Permit Service Center management also had low scores (2.50).

This issue has been identified by the Department and a consultant study to begin to address the code is underway.

X. CUSTOMER PERCEPTIONS

In today's environment, governmental performance is measured by customer satisfaction. In order to determine the Department of Planning and Development's performance, we used several techniques consisting of interviews with the Deputy Mayor and City Manager, Chairpersons of the Planning Commission, Historic and Architectural Review Commissions, and Zoning Adjustments Board, one customer focus groups, and an email surveys to applicants.

This chapter includes customer comments for improving the City's Planning and Development Department. The intent of this customer input was to elicit views and opinions on positive and negative aspects of activities and to seek ideas for change that will improve and enhance the Department or divisions. However, as would be expected, the focus was on perceived problems.

In considering the results, the reader must bear in mind that, unlike documents and statistics, the views expressed by individuals are subjective and may reflect personal biases. Nonetheless, these views are at least as important as objective material because it is these people, with their feelings and prejudices that work with or are often affected by City activities. A second important consideration is that in analyzing the material, it may not be as important to determine whether a particular response is "correct" as it is to simply accept a response or try to determine why customers feel the way they do. Tom Peters, the noted management consultant, has said that in relation to customer service, "Perception is everything." In other words, perception is reality to the person holding the perception.

It should be noted that the purpose of this chapter is to report on the customer input so that the reader of the report can view the comments as customer perceptions without our editing. These comments are not the conclusions of the consultants. Using our methodology as described in Figure 1 and Section B of Chapter II, the customer comments are taken as one form of input to be merged by input of others and our own judgment. Our specific response is in the form of the various recommendations included in this report.

A. FOCUS GROUP

Thirteen people who had been applicants in the City's development and permitting process met on October 20th 2016 for two hours at the Cypress Room in Berkeley City Hall. The meeting was held in confidence, and no staff members were present. The group included architects, engineers, contractors and developers. Focus group comments are paraphrased below, based on our notes taken during the meeting. Topics are arranged in alphabetical order.

Appeals

It should be harder for people to appeal decisions. Currently, it only costs \$100 to appeal any decision, and the person appealing it does not need to have any standing in the project.

Participant stated that prior studies showed that only one half of 1% (0.5%) of appeals actually get approved.

The cost to file an appeal for the developers is \$3,000 but only \$68 for a neighbor.

90% of residential projects don't get appealed

AUPs

Participants believe that AUPs could be processed in 30 days rather than the six to nine months it currently takes.

The City grossly underestimated the number of projects that would be required to undergo the AUP process when they adopted the new ordinance.

The original threshold for requiring an AUP was a 17-foot maximum height, however, that was changed to 14-foot height, which caught a lot of structures that were not intended to be required to be approved through an AUP.

Boards and Commissions

The City should look at ways to streamline and eliminate reviews by various boards.

Budgets

The Permit Service Center is now in the enterprise system, previously they had 20% to 30% General Fund support, with no General Fund support the result has been a reduction in staffing.

Building and Safety Division

Alex (Building Official) is good to work with. He gets it and is willing to be an advocate for the project.

Alameda County gives the staff at the counter the authority to allow for window replacements in exterior walls.

The recently implemented digital building plan review system is a move in the right direction.

Some participants believe they have the best building department in the Bay Area and that everyone is good to work with. “Alex has done a great job”, others suggested there has been some nitpicking in the building plan check process.

CEQA

The CEQA process is used in Berkeley to try and stop many projects.

City Attorney

Developers cannot get direction from the City Attorney or Planning and their calls are not returned.

City Council

It seems like all decisions ultimately end up at the Council level.

Frustration when “you don’t know when you are done”. Council is always changing the rules.

Completeness Checks

Completeness checks done by Planners in 30 days contain the same comments that are provided six months later. Why do we wait six months to get the same comments?

Expedited Reviews

Expedited service is available, but it cost \$11,300 for a single-family dwelling addition. The fees were paid to both the City and plan review consultants.

Fire Reviews

It took nine months to get a permit to do a fire repair.

There is significant frustration with the Fire Department's review of projects based on the turnaround times and their restrictive requirements.

There is insufficient coordination between the Fire and Building departments regarding conflicting requirements.

General Plan

The General Plan is well written.

Landmarks

The planning process for landmark designation is the biggest “NIMBY” tool.

Neighbors

Good project designs get compromised through the process of resolving conflicts with neighbors.

It seems that staff encourages neighbors to obstruct the development process.

Professional staff gets overrun by “noisy neighbors”.

The City staff should be prepared to stand up to the neighbors; otherwise projects are dropped before the project even has a chance to get started.

Developer states “I get in a lot less trouble if I just support the neighbors position”.

The neighbors “design by obstruction”.

Nonconforming Uses

Existing nonconformity uses should be allowed if they are within 25% of the current requirements.

Other Departments

There are too many other departments that must approve each project.

Other Jurisdictions

Berkeley staff needs to look at other jurisdictions in the area to figure out how to get things done.

Permit Service Center

Some participants indicated that occasionally the behavior of staff at the PSC counter is unprofessional.

Phone Calls and Emails

There is considerable frustration over staff not responding to emails and phone calls.

Planners

The Assistant Planners do not know how to process a large project.

Planning staff seems to advocate a culture of “no” and consider the developers to be “bad”.

“Emotion trumps logic” in the Berkeley planning approval process.

There is no sense that Planning staff is attempting to partner with the applicant to assist them in navigating the project through the process.

Developers are frustrated with being assigned different Planners for every phase of the work on the same project.

Planning staff does not give recommendations to Council.

It seems there are too many people looking over the shoulders of the Planners trying to do their work.

Planning Timelines

Deadlines do not mean anything to the Planners.

It takes a crippling amount of time to get through the current planning process.

Zoning Letters

Planning staff tends to issue Zoning Letters that they won’t stand behind at a later time.

Zoning Ordinance

The Zoning Ordinance is all “scar tissue”.

The Zoning Code is very difficult to interpret.

Very little is done “by right” in the City of Berkeley.

It takes a full year for Planning staff to get confident in interpreting the Zoning Code.

There's no time to train staff to interpret the Zoning Code.

There are many problems with the Ordinance regarding adding a fifth or sixth bedroom.

B. CUSTOMER SURVEYS

An email survey was used in this study to obtain applicant customer input. The survey was sent to 1,498 previous applicants for development approvals or permits. One hundred sixty-eight surveys were returned with bad addresses, so 1,330 surveys actually went to applicants. 132 surveys were returned for a return rate of 10%. This is below our normal return rate of 15 to 25 % but still sufficient for analysis.

The response to the surveys is shown in Appendix D. Questions 4 through 33 were designed so that checking a "Strongly Agree" or "Agree" category is a sign of a satisfied customer. A "Disagree" or "Strongly Disagree" is a sign of a dissatisfied customer. Some of the questions were segmented to have responses for Plan Check, Land Use Planning, and the Permit Service Center.

Normally, when negative responses of "Disagree" or "Strongly Disagree" exceed 15%, the responses indicate an area of possible concern. Less than 15% normally indicates this category of question is satisfying the customers. Percentages higher than 15% but below 30% are areas that should be examined for possible customer service concerns. Negative percentages of 30% or higher indicate areas needing early attention since roughly one-third or more of the customers have concerns about service.

Some believe that only customers who experienced problems will return a survey of this type. While it is likely that customers with problems may be more likely to return the surveys, our experience with this and dozens of similar surveys indicate that they still produce valid information. For example, we have worked in other communities where the negative responses seldom exceeded 15%.

It should also be noted that a survey of this type is not a scientific, statistically controlled sample. Nevertheless, when high numbers of respondents express concerns, they are indications of problems that need to be addressed.

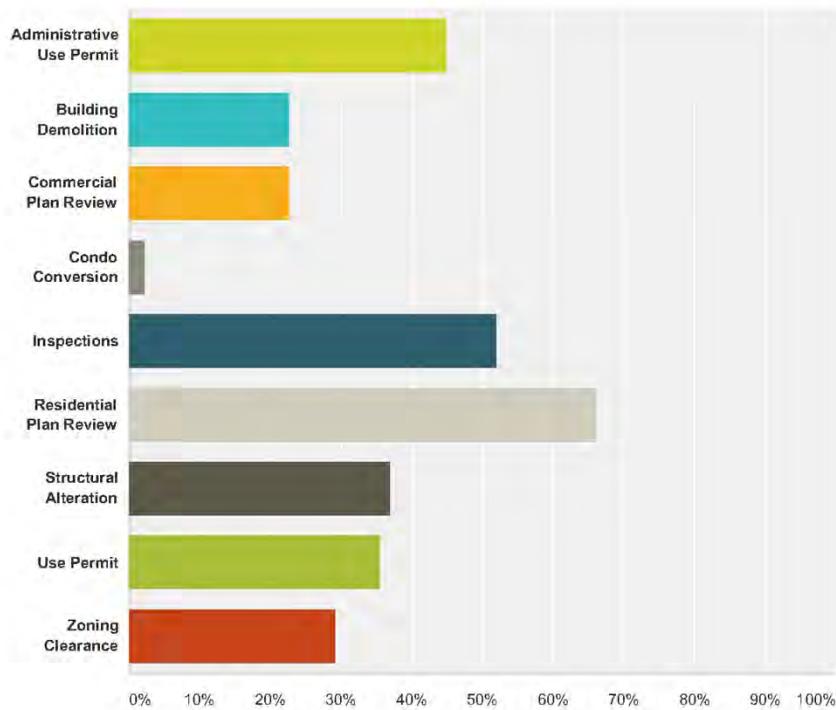
The questionnaires also asked applicants to indicate suggestions and areas for improvement. These comments are very useful and shown in Appendix D.

Specific results include:

Types of Applications

The type of applications processed are shown in Figure 22. There was a large mix of applications with the highest being Residential Plan Review at 66%, followed by Inspections 52% and Administrative Use Permits 45%.

Figure 22
Type of Applications Received

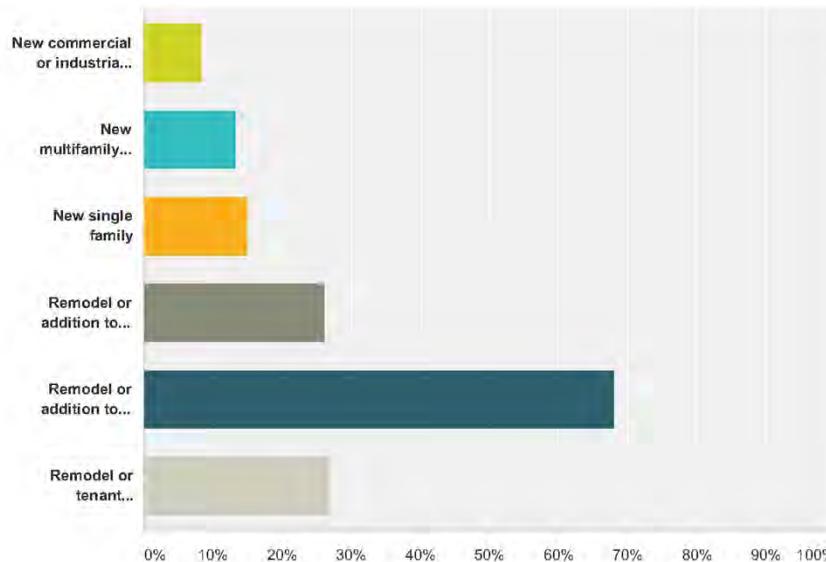


Answer Choices	Responses
Administrative Use Permit	44.88% 57
Building Demolition	22.83% 29
Commercial Plan Review	22.83% 29
Condo Conversion	2.36% 3
Inspections	51.97% 66
Residential Plan Review	66.14% 84
Structural Alteration	37.01% 47
Use Permit	35.43% 45
Zoning Clearance	29.13% 37
Total Respondents: 127	

Type of Approvals

The types of approvals are shown in Figure 23. New buildings consisted of 37% with the remainder being some form of remodeling.

Figure 23
Types of Approvals

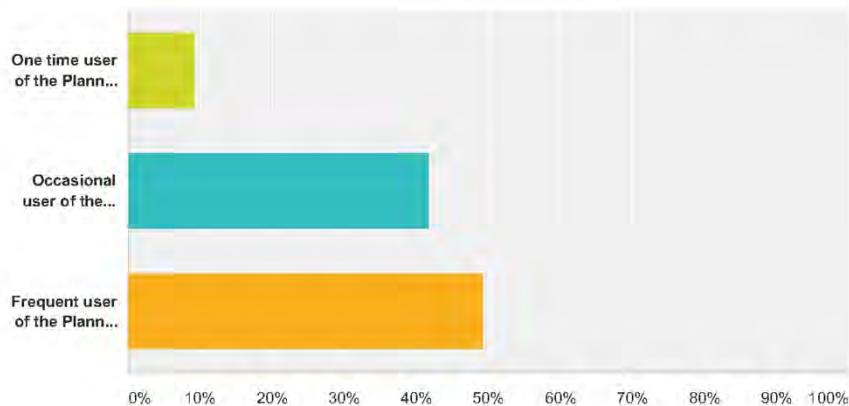


Answer Choices	Responses	
New commercial or industrial building	8.40%	10
New multifamily dwelling/condo	13.45%	16
New single family	15.13%	18
Remodel or addition to multifamily dwelling/condo	26.05%	31
Remodel or addition to single family/duplex	68.07%	81
Remodel or tenant improvement to commercial or industrial building	26.89%	32
Total Respondents: 119		

Frequency of Working With the Department of Planning and Development

One time users were 9%, occasional users 42%, and frequent users 49% as shown in Figure 24.

Figure 24
Frequency of Users



Answer Choices	Responses	
One time user of the Planning and Development Department	9.09%	12
Occasional user of the Planning and Development Department	41.67%	55
Frequent user of the Planning and Development Department	49.24%	65
Total	132	

Navigating the Process

56% of the applicants understand how to navigate the process but 35% do not.

Segmented Questions

Table 18 indicate the negative responses to a variety of questions for Plan Check, Land Use Planning, and the Permit Service Center. The "Not Applicable" responses were removed for this analysis. These are the worst responses we have received in the many similar surveys we have conducted. Virtually all the responses exceed our 30% negative standard, and most even exceed 50% negative. This was true across all three functions of Plan Check, Land Use Planning, and Permit Service Center.

Table 18
Percent of the Negative Responses to Questions

Question	Plan Check	Land Use Planning	Permit Service Center
5. I understand the planning and development review processes.	33%	36%	30%

Question	Plan Check	Land Use Planning	Permit Service Center
6. The planning and development review processes are not overly cumbersome or complex.	66%	59%	64%
7. When making an application, I have generally found the City intake staff to be responsive and helpful.	32%	22%	36%
8. Staff provides prompt feedback on incomplete submittals.	59%	47%	51%
9. In general, after application acceptance, the Planning and Development Department staff anticipated obstacles early on and provided options where they were available.	60%	50%	57%
10. In general, the Planning and Development Review Department staff provided good customer service.	48%	36%	44%
11. Have you experienced a situation where your project was delayed by a problem that should have been identified during initial review?	65%	61%	57%
12. Review services were completed by the date promised.	81%	61%	65%
13. Do you know what the City's stated review times were for your application?	19%	27%	24%
14. The Planning and Development Review Department's promised delivery dates are reasonable and acceptable.	53%	55%	52%
15. Codes and policies are applied by the Planning and Development Review Department staff in a fair and practical manner.	35%	39%	32%
16. The turnaround time for review and approval or disapproval of my application was not any longer in Berkeley than other cities or counties where I have filed applications.	78%	72%	74%
17. If project processing is delayed, the delay is typically justifiable. Projects are not delayed over minor issues.	74%	66%	67%
19. Berkeley is just as fair and practical in its application of regulations as other neighboring cities or counties where I have filed applications.	58%	57%	53%
20. The Planning and Development Review Department staff were courteous.	19%	11%	23%
21. The conditions of approval or plan check corrections applied to my project were reasonable and justified.	44%	34%	33%
22. I found the handouts supplied by the Planning and Development Review Department to be useful and informative in explaining the requirements I must meet.	26%	27%	22%
23. The Planning and Development Review Department staff was easily accessible when I needed assistance in resolving problems.	57%	47%	51%
AVERAGE OF THE AVERAGES	50%	45%	46%

Table 19 contains questions applying to all functions.

Table 19
Questions Applying To All Functions

Question	Percent Negative
18. If a project is delayed, the delay is typically caused by departments other than the Planning and Development Department, such as Fire or Engineering.	64%
24. Inspectors rarely found errors in the field during construction that should have been caught during the plan checking process.	19%

Boards and Commissions

A number of questions related to boards or commissions are shown in Table 20. Thirty-five percent of applicants were not clear when a board or commission review was required. The Zoning Adjustments Board and City Council received positive scores and were below our 15% negative threshold. The Landmarks Preservation Commission and Design Review Committee exceeded 25% negative.

Table 20
Questions Related to Boards and Commissions

Question	Percent Negative
25. It is clear when Board or Commission review is required	33%
26. The Zoning Adjustments Board was useful.	18%
27. The Landmarks Preservation Commission was useful.	28%
28. The Design Review Committee was useful.	28%
33. The City Council treated me fairly and was courteous.	15%

Other Questions Related To All Functions

Other relevant questions are shown in Table 21.

Table 21
Other Questions Related to Planning and Development

Question	Percent Negative
29. The Permit Service Center was useful.	34%
30. I am aware of and utilize available City Planning and Development	10%

Question	Percent Negative
information that is online.	
31. The Planning and Development's website provides comprehensive and useful information.	34%
32. The Planning and Development's website is easy to navigate.	60%

Approvals

Ninety-two percent of the applications were ultimately approved.

Appendix A

Persons Interviewed

Building and Safety Division

Avotcja Livingston Jones, Building Plans Examiner

Christina Franco, Office Specialist Supervisor

Alex Roshal, Building Official

David Lopez, Assistant Building Official

Shanitra Roan, Permit Specialist

Robert Williams, Permit Specialist

Jesse Bright, Sr. Building Plans Examiner

Pam Johnson, PSC Coordinator

Pamela Johnson, Permit Service Center Coordinator

Ellie Leard, Building Inspector

Kong Chung, Building Plans Examiner

City Attorney

Zach Cowan, City Attorney

Deputy City Manager

Jovan Grogan

Design Review Committee

Burton Edward, Chairperson

Fire Department

Anthony W. Yuen, P.E., Fire Marshall

Information Technology

Raj Kello, IT Enterprise Application Manager

Joe Koontz, IT ERP Supervisor

Joao Sousa, IT Applications Manager

Ivan Lapidus, IT Database Administrator

Sevita Chaudhary, Director, Information Technology

Land Use Planning Division

Gregg Powell, Principal Planner

Shannon Allen, Principal Planner

Alisa Shen, Principal Planner

Fatema Crane, Senior Planner
Anne Burns, Associate Planner
Charles Enchill, Assistant Planner
Immanuel Bereket, Associate Planner
Malinda Jacobs, Office Specialist II, Planning
Alex Amoroso, AICP, Principal Planner
Alene Pearson, Associate Planner
Leon Salcedo, IT Portfolio Manager, Planning
Vickie Schlepp, Office Specialist III, Planning
Alisa M. Shen, Principal Planner
Manny Berekat, Associate Planner
Debbie Gonzalez, Administrative Secretary, Planning
Allison Graham-Ealy, Office Specialist III, Planning
Elizabeth R. Green, AICP, Senior Planner

Historic and Architectural Committee

Anna Eby, Chair

Planning and Development Department

Carol Johnson, Planning Director
Perla Tiong, Senior Management Analyst

Public Works

Paul Kaushal, Manager of Civil Engineering
Donald Irby, P.E., Supervising Civil Engineer
Martin Querin, Deputy Director Public Works

Farid Roshal, Traffic Engineer

Zoning Adjustments Board

Denise Pinkston, Chairperson

Appendix B

Employee Short Questionnaire

**Land Use Planning Division and Permit Service Center
Berkeley, CA**

Please check your Division or function:

- Building and Safety Division
- Land Use Planning Division
- Permit Service Center
- Fire
- Police
- Public Works/Transportation
- Other (list) _____

1 Strongly Disagree

4 Somewhat Agree

2 Somewhat Disagree

5 Strongly Agree

3 Neutral

6 Not Applicable

7 Don't Know

1. Our Division seeks to identify problems quickly. []
2. When problems are identified, our Division moves quickly to solve them. []
3. Our Division has an effective process for listening to citizen or client concerns. []
4. The concern for employees in our Division is sincere. []
5. Good service is the rule rather than the exception in our Division. []
6. Managers in our Division encourage and advance new ideas from employees. []
7. We have a strong emphasis on training in our Division. []
8. Management in our Division discusses objectives, programs and results with employees regularly. []
9. There is free and open communication in our Division between all levels of employees about the work they are performing. []
10. Employees in our Division treat citizens with respect. []
11. Our Division encourages practical risk-taking and supports positive effort. []

**Land Use Planning Division and Permit Service Center
Berkeley, CA**

1 Strongly Disagree	4 Somewhat Agree
2 Somewhat Disagree	5 Strongly Agree
3 Neutral	6 Not Applicable
	7 Don't Know

12. Our Division has a clear sense of what its programs are trying to accomplish. []
13. We do our jobs very well in our Division. []
14. We have an efficient records management and documentation system in our Division. []
15. I am satisfied with the type of leadership I have been receiving from my supervisor in our Division. []
16. I have enough time to do my work as it needs to be done. []
17. I am kept abreast of changes that affect me. []
18. There is good teamwork and communication between the different departments, divisions or organizations conducting development review, plan checking and inspection in the City. []
19. I am aware of standard turnaround times in our Division for processing plans and permits as communicated by my supervisor. []
20. I am able to meet standard turnaround times for processing plans and permits in our Division as communicated by my supervisor. []
21. The City has a clear and coordinated development review and plan checking process. []
22. Permit and development processes in the City are not unnecessarily complex nor burdensome on the applicant. []
23. Applications are reviewed in the City in a timely manner. []
24. Application review in the City is undertaken in a consistent manner. []

**Land Use Planning Division and Permit Service Center
Berkeley, CA**

1 Strongly Disagree	4 Somewhat Agree
2 Somewhat Disagree	5 Strongly Agree
3 Neutral	6 Not Applicable
	7 Don't Know

25. It should be the policy of the City and its employees to assist any applicant in completing his/her application, see that it is complete as soon as possible, and process it [] without undue delay.
26. It should be the policy of the City to make the development and permit process as pleasant and expeditious as possible. []
27. We are doing the right amount of long range planning for the City. []
28. The Planning Commission works well and is effective. []
29. The Zoning Adjustments Board works well and is effective. []
30. The Landmarks Preservation Commission works well and is effective []
31. The Plans we prepare for the City are good. []
32. The Zoning and Development Code is good. []
33. Building permits are reviewed in a short and timely way. []
34. Planning applications are reviewed in a short and timely way. []
35. Engineering reviews are reviewed in a short and timely way. []

Please briefly answer the following:

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

**Land Use Planning Division and Permit Service Center
Berkeley, CA**

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

38. What are you most proud of in relation to your Department or Division?

Land Use Planning Division

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

The City Manager/City Council has not staffed the city at the same level that it has adopted regulations for the City regulatory staff.

Rarely solving problems after addressing them. Routinely identifying the same problems without final determination moving forward. Not being progressive as a department and leaving all recommendations up to Commissions and Boards.

Our department always seems to be behind and always seems to do things at the last minute (at least the things that I deal with; *i.e.*, commission reports, *etc.*).

Council referral process needs review.

We need a more integrated review process – all divisions and specializations in Land Use Planning as well. More communication needed; more training required for plan check review, as in who needs to review what.

Our shared drives are clumsy and I spend so much time looking for planning files for hours. Accela is so dated and you have to check fifty times to do anything.

N/A (fairly new employee)

Not enough communications between departments and divisions.

Org culture needs change.

Lack of knowledge of changes being implemented. Lack of training.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

More reporting on the staffing and budget implications on matters recommended to council; specifically, the “fiscal impacts” section of most council reports re: land use matters is left blank or not completed with thorough analysis. The result is council adoption of regulations and ordinances without appropriate staffing. Staffing improvement/increase rather than over-working existing staff and balancing the shortfall on the backs of existing staff.

Providing additional staffing which is underway. Seeing if HR could use any additional staff on assistance to expedite hiring.

Start reports for commission meetings much sooner so packets can be mailed out in time to meet requirements.

Improve interdepartmental and intradepartmental communication and coordination.

More “hands-on” training needed for new Permit Service Center staff. Should be a better overview of divisions/specialty review so permits are routed correctly right away, not at the end of the review time.

More training/mentoring for new planners. A Bigger lunchroom so we can all mingle a little. A quicker turn around for simple projects. A fairer system for public comment applicants.

More initial streamline training for new employees at counter 1 in Accela. Response time to applicants, communication about what specific processes (*i.e.*, AVP, SAP) entail so customers know what to expect from the building.

Management needs to set an example for their staff by being available to often support when needed.

More meetings should be done.

Reduce or revise requirements for discretionary permits. No window (in-kind) should require zoning permit.

More awareness of changes and systems that impact our work and the community at large.

38. What are you most proud of in relation to your Department or Division?

The genuine care and cordiality amongst my colleagues. I work with smart, hard-working, good people.

The Landmarks Division was very efficient.

Employees are usually willing to stop and explain things when needed.

Innovative planning – when permitted.

Our consistent department/division goal of wanting what is best for all of Berkeley, not just one applicant.

I think we do a good job of helping people at the PSL.

Communication 1 internal to department comfort in asking for help, inter-communication between all levels of staff.

As a department as a whole, I think our departments is very close knit.

The city goals re: social issues and how planning implements those goals.

People try to help each other.

Permit Service Center

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

Inconsistent time for plan review. Lack of information or city website.

Lack of communication between department and the fall at ends up on front counter staff. Angry customers/citizens complain and blame but the communication is lacking between departments, staff, and management.

No vision, or direction.

Accela only, not the department.

Lack of staff on any given day. Too much chatter, not enough friendly customer service. Too much transferring people around. Long wait times. Unprofessional behavior.

Accela, Accela, Accela. Staff standing around talking on a personal level when they should be helping. Staff eating at the counter with food in their mouths. Staff person on personal phone calls in her office always.

The business license module, does not work in Accela – effects work. A few of my wo-workers don't service customers properly. Tech problems with Accela are not addressed in person, if at all. A few procedures for permits submittals could be better.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

Tutorials on how the permit and zoning process work (web based). Better forms and more precise in structures for applicants.

My division works well with what we are given (tools and information) we “make due.” We work well together despite receiving the brunt of the complaints about time, processes, mis-information (from web, staff, other). My suggestion would be to have better interdepartmental information and external information as well as better tools to be our jobs.

Revamp the computer system.

More staff.

When customers come in they don’t see the receptionist because the desk is too far back and/or she’s not there. Staff needs to be friendlier and work more efficiently. Need to hire people that want to work and come to work.

Accela. Sr. staff instead of standing their talking all day – do some work.

Have a certain amount of work that must be completed by each person to help department run smoother and provide more efficient service for our customers.

38. What are you most proud of in relation to your Department or Division?

Team work.

My co-workers in PSC and supervisor.

Our ability working well together we are very cohesive group.

My manager.

Manager for staying.

Too official getting done what he promised.

All my co-workers get along well.

Building & Safety Division

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

City Council gets a complaint and we all scramble to fix. Council always thinks we are wrong even if the client is full of shit.

The systems, equipment and infrastructure does not allow us to do a better job. Too many work arounds. Have to remember so many workarounds, hard to remember your job.

Getting Accela to work consistently without the frequent “bugs” would go a long way to helping customers – providing written information to applicants and staff on customer portal of Accela is critical.

The city has a lot of homeless people as residents.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

Provide more executive admin staff to answer calls and go through emails.

We need an IT person physically located at Building and Safety / PSC 24/7 dedicated to helping us set Accela to work correctly and fix daily bugs that come up.

Provide fixes for the Accela system.

38. What are you most proud of in relation to your Department or Division?

We implemented Accela and electronic plan check.

As a division, we all talk to each other and are open to suggestions.

I've been here over 32 years and feel our division is in the best shape it's ever been in and would be great if Accela could work across the board for all of our functions.

Reviewing plans to ensure Life Safety Construction for the property owner and his/her tenants.

Public Works

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

Public Works does not provide enough support and expects that one person is adequate to meet an untenable workload.

Working with some other department staff is challenging as they (some only) are not responsive nor communicative nor available nor helpful.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

Need to improve the quality of the customer experience. Customers include internal and external people.

Staff in all departments/ divisions need to provide good customer service to each other – not just to the public. Clarify our division’s design guidelines so all know what they are and flexibility we as staff have.

38. What are you most proud of in relation to your Department or Division?

Customer Service

Our expertise and desire to help and “make” things happen.

Fire

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

Staffing for support of Planning/Development activities has been static for over ten years in my division in spite of – massive increase in level/complexity of development during that time frame. Significant efforts to increase both staffing and “excess capacity” by partners in Building Department.

One staff for the last 16 years while other department expands exponentially. Short of manpower throughout Fire Prevention office.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

Service improvements will be difficult without significant staffing level improvements.

38. What are you most proud of in relation to your Department or Division?

My agency genuinely cares about its customers.

Managers Land Use Planning & Permit Center

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

Squeaky wheel, loudest complaint, gets put at the top of the stack.

Staff is smart, dedicated and well intentioned; however, the workload (counter time, plan checks, general questions, number of applications assigned to them, or complexity of applications) makes it difficult for staff to do their best work. Directly related is the complexity of the Zoning Ordinance, complexity of hiring, level of discretion, and expectations of customers/residents.

I have the impression that community members perceive the department as slow, unhelpful, and not diligent. Some in admin staff in our department do not add value to department (not like admin staff in other firms I've worked in). Many are close to retirement.

Identify priorities, stick with them.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

Hire 2 IT specialists to work on Accela issues (! For BS/ 1 for Land Use). R.F.P. for a sign in program for the PSC that adequately triages customers, track results.

Develop SOP manual. Org chart with clear definition of roles/responsibilities. Develop a standard report for metrics we want to report on (*e.g.*, number permits, housing by type, *etc.*). Long range plans implementation. Develop way to record zoning interpretations.

Mission statement with meaning. Work plan. Other departments need to be more self-reliant – often they look to planning to solve their process, fee problems or to do their work.

38. What are you most proud of in relation to your Department or Division?

Knowledge, work ethics of the Building Official, Plan Examiners, *etc.*

Our director is clearly concerned and interested in our individual profile development and work environment. Colleagues generally are smart and conscientious.

High level of public participation.

Managers Public Works

36. Please list any “pet peeves” or concerns about your Department, Division, or the City.

Not addressing potential issues/problems until they occur. Staffing resources – not enough staff to do the work.

Unclear reporting structure for PW staff working in planning.

No formal project management systems or tools. No SOPs. No succession planning. Timekeeping is limited in terms of task accounting. Organizational structure; job classes and descriptions have simply erupted over time without stepping back and creating something that reflects department.

37. Please provide at least one suggestion or recommendation for improvement related to your Department, Division, or the City.

Be more open to working with other departments or divisions. More willing to be engaged in areas that can help the public but not listed in the person’s job description.

Creating clear duty statements for all staff. Implementing project management tools (software) for projects.

Process flow charts. Organizational plan based on current activities, needs and responsibilities. IT master plan. PMI based canned variety management project management tools. Time reporting that includes organization final project phase task.

38. What are you most proud of in relation to your Department or Division?

Desire to engage with the public regarding services and CIP projects.

The work we deliver to improve the City’s assets/infrastructure for the benefit of its residents and visitors.

We are doing a lot of good work.

Appendix C

Employee Long Questionnaire

**City of Berkeley
Land Use Planning Division and Permit Service Center Review**

EMPLOYEE QUESTIONNAIRE

Employee Name _____ **Job Title** _____

Department _____ **Division** _____

The following questionnaire is an important and essential part of the City's Analysis of the Land Use Planning Division and Permit Service Center being conducted by Zucker Systems. The study is aimed at improving effectiveness and efficiency. Your ideas and thoughts are essential to the study. This questionnaire will supplement other work being undertaken by the consultants.

Please complete this questionnaire and return it to us **within one week**. You can do this in one of the following ways:

1. The best way to complete the questionnaire is on line at www.zuckersystems.com. You will find the Berkeley Questionnaire under the links tab. If you have any problems call us at 619-260-2680. Note: For confidentiality the program will **not** save your answers to be completed at separate times. If you cannot complete the survey in one sitting, please submit the answers you have completed. Then, you can access the survey again and answer the questions unanswered the first time and submit that portion of the survey. We will merge your surveys together for a complete survey. Just be sure to put your name on all submittals so we can paste the parts together.
2. You can also access the questionnaire directly online at the following link:
<https://www.surveymonkey.com/r/BerkeleyQ>
3. You can also mail the questionnaire in a sealed envelope to Zucker Systems, 3038 Udall St. San Diego, CA 92106.

Take your time in answering the questions and be as thorough as possible. You are encouraged to email (paul@zuckersystems.com) or mail attachments or examples. Note that all questions may not apply to you. In that case, simply skip that question.

Your comments may be merged with others and included in our report; however, the consultants will not identify individuals in relation to specific comments. Your responses and comments will be held in confidence.

Thank you for your help.

Paul C. Zucker, President, Zucker Systems

1. What do you see as the major **strengths** of the Land Use Planning Division and Permit Service Center the things you do well?
 2. What do you see as the major weaknesses of the Land Use Planning Division and Permit Service Center and what can be done to eliminate these weaknesses?
 3. What important policies, services or programs are no longer pursued or have never been pursued in relation to the Land Use Planning Division and Permit Service Center that you feel should be added?
 4. Do you feel any of the City's ordinances, policies, plans, or procedures related to the Land Use Planning Division and Permit Service Center should be changed? If so, list them and explain why.
 5. Are there any programs, activities or jobs related to the Land Use Planning Division and Permit Service Center you would eliminate or reduce and why?
 6. How would you describe the goals or mission of your function or division?

7. What would help you perform your specific duties more effectively and efficiently?
8. What problems, if any, do you experience with your records or files and what should be done to eliminate these problems? (Please be specific.)
9. What problems, if any, do you experience with the current office layout, work spaces, and public counters and what should be done to eliminate these problems? (Please be specific.)
10. Are there any problems in providing good service to your customers? If so, please list them and give recommendations to solve these problems.
11. Do you feel that the processing of development applications and permits should be shortened, sped up, or simplified? If so, what do you suggest? Or conversely, do you feel that you try to move development applications through the permit process too quickly? In either case, how would you suggest it be improved?
12. What suggestions do you have for improving internal communication in the City's Land Use Planning Division and Permit Service Center or any other city functions?

13. What suggestions do you have for improving external communication from your function to customers or Stakeholders.
 14. Do you have any difficulty in carrying out your function due to problems with other departments or divisions? If so, please explain and provide suggestions on how to correct these problems.
 15. Have you received sufficient training for your responsibilities? If not, please comment and indicate areas you would like more training.
 16. What functions are you currently handling manually that you believe could or should be automated? (Please be specific.)
 17. What functions that are currently computer-automated need improvement? List your suggested improvements.
 18. What problems, if any, do you have with the telephone system and what would you suggest to correct the problems?
 19. What problems, if any, do you have with the email system and what do you suggest to correct these problems?

20. Do you have all the equipment you need to properly do your job? If not, please list what you need.
 21. Please provide comments concerning good or bad aspects of the City's organizational structure for the City's Planning and Development Department or other city departments or divisions.
 22. Do you use consultants or should consultants be used for any of the functions in the Land Use Planning Division and Permit Service Center?
 23. If you use consultants for any of the functions in the Land Use Planning Division and Permit Service Center what problems, if any, do you experience with these consultants and what would you recommend to correct this problem?
 24. What changes, if any, would you recommend in relation to the City Council processes in relation to the Land Use Planning Division and Permit Service Center?
 25. What changes, if any, would you recommend in relation to the Zoning Adjustments Board processes in relation to the Land Use Planning Division and Permit Service Center?

26. What changes, if any, would you recommend in relation to the Landmarks Preservation Commission processes in relation to the Land Use Planning Division and Permit Service Center?
27. What changes, if any, would you recommend in relation to the City's General Plan?
28. What changes, if any, would you recommend in relation to the City's Codes and Ordinances?
29. What changes, if any, would you recommend in relation to the City's engineering construction standards?
30. If you are short of time to do your work, what changes would you recommend to correct this problem?

31. Please list the major tasks or work activity you undertake and provide a rough estimated percentage of your time for each task. The percentages should total 100%.

<u>Task</u>	<u>Percent</u>
100%	

32. What additional handouts to the public or changes to existing handouts to the public would be helpful?

33. How well do the Land Use Planning Division and Permit Service Center current Public outreach methods and social media efforts work and what suggestions do you have to improve them?

34. What additional educational materials would help you do your job?

35. What changes, if any, would you recommend in relation to the City's GIS system?

36. What changes, if any, would you recommend in relation to the City's computer permitting system?

37. Do relations between the office staff and inspectors work well? If not, what do you recommend to improve the relations?

38. Who is your direct supervisor, list name and position?

39. List the names and positions of the staff that you supervise.

40. Do you have any concerns about the way human resource issues are handled in the City? If so, please describe and what would you suggest to resolve your concerns?

41. List any other topics you would like the consultants to consider, or other suggestions you have for your function, the Land Use Planning Division and Permit Service Center. Take your time and be as expansive as possible.

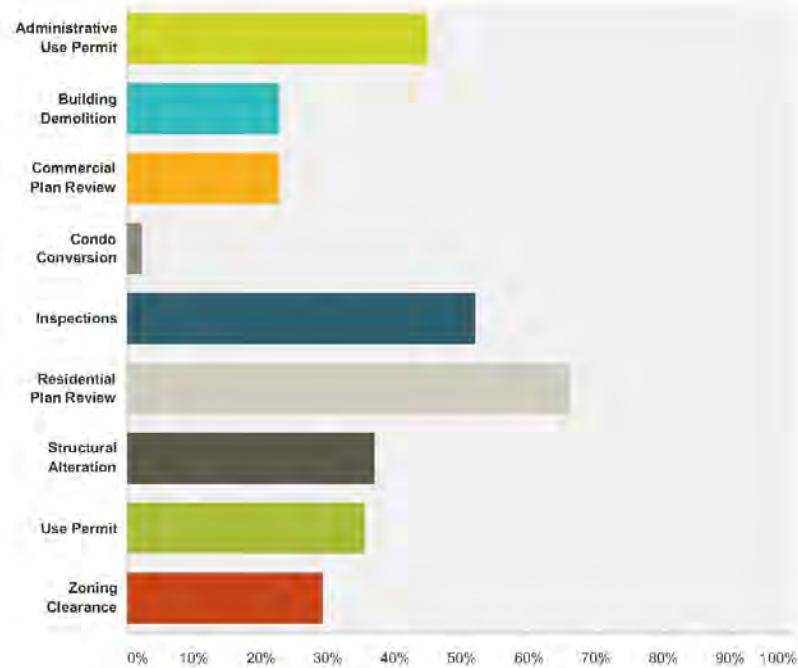
Note: Feel free to call us at 1.619.804.1769 or email to paul@zuckersystems.com to discuss any concerns or provide recommendations. When calling, ask for Paul.

Appendix D

Customer Survey

Q1 Please check off the types of development actions you have applied for through the City Planning and Development Department during the past 12 months.

Answered: 127 Skipped: 5

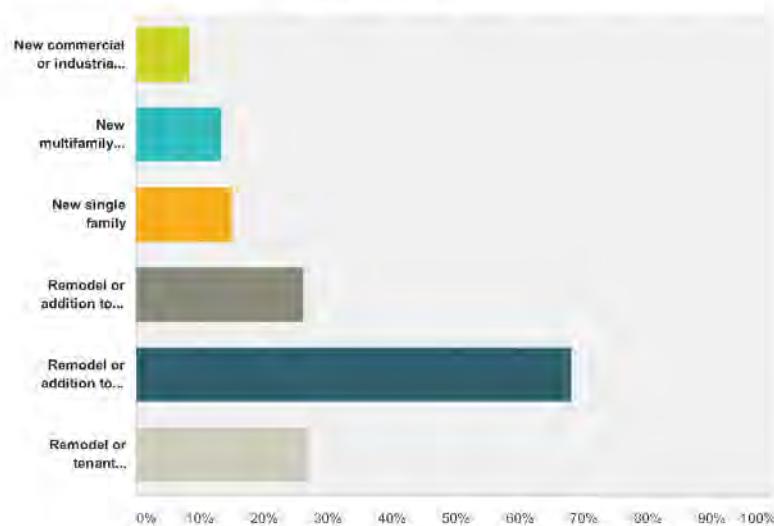


Answer Choices	Responses
Administrative Use Permit	44.88% 57
Building Demolition	22.83% 29
Commercial Plan Review	22.83% 29
Condo Conversion	2.36% 3
Inspections	51.97% 66
Residential Plan Review	66.14% 84
Structural Alteration	37.01% 47
Use Permit	35.43% 45
Zoning Clearance	29.13% 37
Total Respondents: 127	

#	Other (please specify)	Date
1	Window replacement:	10/29/2016 3:43 PM
2	Structural retrofit:	10/21/2016 5:32 PM
3	- we've applied for two Use Permits and several AUP's for our commercial property on Solano the past 6-7 years	10/19/2016 4:47 PM
4	Design Review	10/19/2016 8:59 AM
5	CEQA Review, Design Review, State Density Bonus	10/18/2016 3:17 PM
6	Window replacement, reroofs	10/17/2016 8:55 PM
7	New Assesory unit	10/15/2016 8:26 PM
8	construction of handicapped ramp	10/15/2016 8:14 AM
9	Kitchen Remodel	10/14/2016 12:49 PM
10	Earthquake retrofit and Dept. of Housing Correction Issues.	10/13/2016 6:00 PM
11	ZAB, City Council	10/13/2016 11:32 AM
12	Housing Code Enforcement, RHSP, Elevated Elements.	10/12/2016 4:47 PM
13	Master Plan	10/12/2016 4:04 PM
14	Building Renovation, Fence Permit	10/12/2016 10:56 AM
15	Sign Permit	10/12/2016 10:46 AM
16	Encroachment Permit for work in the public right of way	10/12/2016 9:02 AM
17	E3 Program	10/12/2016 12:04 AM
18	Repair permit	10/11/2016 11:19 PM
19	Building permits	10/11/2016 7:46 PM
20	Replacing and/or relocating furnaces and water heaters, replacing windows (like-for-like)	10/11/2016 4:36 PM
21	Re-configuration of internal manufacturing and lab space	10/11/2016 4:20 PM
22	Electrical Permits	10/11/2016 3:54 PM

Q2 Please indicate what the permit or approval was for.

Answered: 118 Stopped: 13



Answer Choices	Responses
New commercial or industrial building	8.40% 10
New multifamily dwelling/condo	13.45% 16
New single family	15.13% 18
Remodel or addition to multifamily dwelling/condo	26.05% 31
Remodel or addition to single family/duplex	26.89% 31
Remodel or tenant improvement to commercial or industrial building	32.00% 37

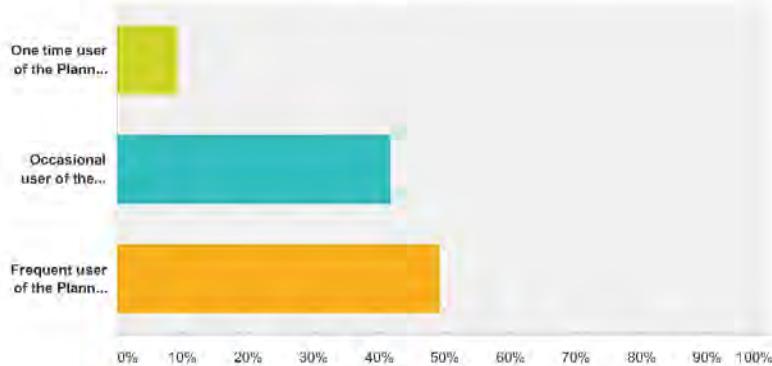
Total Respondents: 119

#	Other (please identify)	Date
1	Repair & Maint to SFR. Nothing new	10/24/2016 5:24 PM
2	belony ordinance	10/20/2016 10:18 PM
3	alcoholic beverage service	10/20/2016 3:06 PM
4	For the most part we've been pressed to amend the severe limitations of the zoning on our property. With the drastic changes in our economy since the recession, retail and general office zoning is not a wide enough range to recruit businesses that need to change and adapt!	10/19/2016 4:47 PM
5	Live Work; Accessory Dwelling Unit; Accessory Structures	10/19/2016 12:56 PM
6	Demo	10/19/2016 8:59 AM
7	Commercial change of use	10/18/2016 3:17 PM

8	minor permits for reroofs and window replacements.	10/17/2016 8:55 PM
9	soft story retrofit and simple changes	10/17/2016 12:47 PM
10	Clearance of zoning violation	10/15/2016 8:26 PM
11	solar	10/12/2016 5:29 PM
12	Structural Pest Control Repairs	10/12/2016 8:31 AM
13	Old systems being updated,	10/12/2016 7:33 AM
14	E3	10/12/2016 7:16 AM
15	Repair of wood framing supporting masonry stairs and porches	10/12/2016 12:04 AM
16	Repair damaged structure	10/11/2016 11:19 PM
17	Multi-family apartment building Repairs	10/11/2016 7:46 PM
18	Single family foundation upgrades	10/11/2016 5:15 PM
19	Hot tub	10/11/2016 5:14 PM
20	Alcohol sales	10/11/2016 3:01 PM
21	Update telecommunication projects	10/11/2016 2:47 PM

**Q3 Please indicate how often you work with
the City's Planning and Development
Department.**

Answered: 132 | Skipped: 0

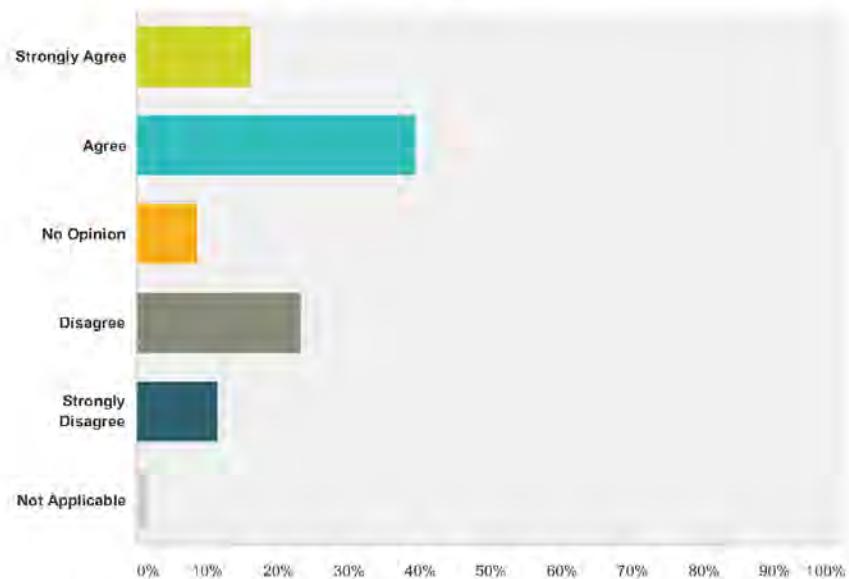


Answer Choices	Responses
One time user of the Planning and Development Department	9.09% 12
Occasional user of the Planning and Development Department	41.67% 55
Frequent user of the Planning and Development Department	49.24% 65
Total	132

#	Type any comments here	Date
1	We've had to amend the zoning for 65% of the building (22,000 rentable SF) since the construction permit and zoning were unrealistic about the market.	10/19/2016 4:47 PM
2	Year round for the past 20 years.	10/19/2016 12:56 PM
3	Daily	10/18/2016 3:17 PM
4	I applied and received my first use permit from the ZAB in 1988 and have been working Planning Dept since	10/16/2016 2:31 PM
5	Never easy. Conflicting information often	10/15/2016 8:26 PM
6	I am a local architect. I have been working with the city for 14 years	10/14/2016 10:42 AM
7	Over the past 30 years	10/13/2016 6:00 PM
8	30 years, and it has only gotten dramatically slower.	10/13/2016 11:32 AM
9	Because one needs a permit to the smallest detail. Unlimited Revenue and Control	10/12/2016 4:47 PM
10	Never	10/12/2016 7:33 AM
11	I'm a Berkeley-born architect in private practice.	10/12/2016 12:04 AM
12	Multiple trips for one repair project	10/11/2016 11:19 PM
13	Our firm has been in business since 1947. We have worked in Berkeley since then. I have run this company since 1979	10/11/2016 5:40 PM
14	At minimum 3-4 days each week	10/11/2016 5:15 PM
15	We are a school and ask for a permit of some sort most summers.	10/11/2016 5:02 PM
16	We do 2-6 projects a year in Berkeley. As a business we are moving our business away from Berkeley because permits there have the most red tape in the east bay.	10/11/2016 4:54 PM
17	I am a home owner. When a permit is needed for a smallish job I get it myself. On very large jobs, the contractor obtains it on my behalf.	10/11/2016 4:33 PM
18	Our firm submits at least two residential addition/alterations projects per month, and three to four AUP's per year.	10/11/2016 3:59 PM
19	I applied for an AUP to build an addition on my house, but am an architect and occasionally work on other projects in Berkeley.	10/11/2016 3:47 PM

**Q4 I understand how to navigate
the Planning and Development Department
and external review departments.**

Answered: 130 | Skipped: 2



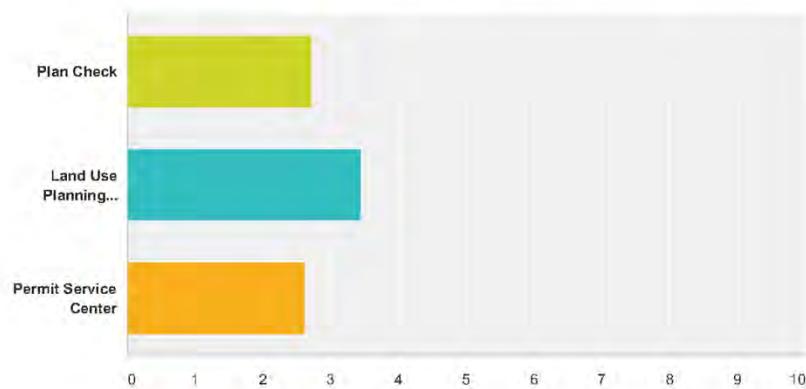
Answer Choices	Responses
Strongly Agree	16.15%
Agree	39.23%
No Opinion	8.46%
Disagree	23.08%
Strongly Disagree	11.54%
Not Applicable	1.54%
Total	130

#	Type any comments here	Date
1	Web site is terrible, phone support poor	10/29/2016 3:43 PM
2	I have to click several times to find where the comments are. Also, a file was corrupted when I uploaded but I did not receive any message via email. It was up to me to check for it which wasted many weeks of waiting until I checked in because I hadn't heard from the building dept.	10/25/2016 9:30 PM
3	There have been many times I can not get return calls from people handling my projects	10/19/2016 4:47 PM
4	To a point	10/19/2016 7:24 AM
5	Website information is vague and process seems arbitrary.	10/17/2016 2:23 PM
6	Bad question. I understand and dread	10/15/2016 8:26 PM

7	I am often referred to one person, who refers me to another and so on....it's never very clear who is responsible and what the sequence of steps to follow is..	10/15/2016 3:34 PM
8	understanding how to navigate, and being able to do it effectively are two different things. The department has ground to a halt in the last year, and with the high staff turnover, getting a project through is very difficult now, even though I "know" the system..	10/14/2016 10:42 AM
9	I have no idea what order (if there is any) that the plans are routed between.	10/12/2016 5:23 PM
10	Everything changes regularly, rules, green, costs,	10/12/2016 4:47 PM
11	It was a learning process for me.	10/12/2016 10:46 AM
12	Staff and commission authority is unclear	10/11/2016 9:25 PM
13	I understand how to navigate some aspects of it but not others.	10/11/2016 8:10 PM
14	Not possible. Consistently inconsistent.	10/11/2016 5:40 PM
15	I go to the desk and am given instructions on how to proceed.	10/11/2016 4:33 PM
16	Even now, having been through the process, I'm confused	10/11/2016 3:59 PM
17	Your system is opaque, confusing, and disorganized.	10/11/2016 3:41 PM
18	the process is continually changing. It depends who we work with. Some people make it easier than others	10/11/2016 3:04 PM
19	Online submittals and inspections are wrong and are not	10/11/2016 3:00 PM
20	The permitting and inspection process is extraordinarily opaque in terms of the steps that are required as well as in ways to leverage any response from a highly unresponsive staff. I had to contact my councilperson to get results after months of stonewalling from every staff member I attempted to contact via both voicemail and email.	10/11/2016 3:00 PM

Q5 I understand the planning and development review processes.

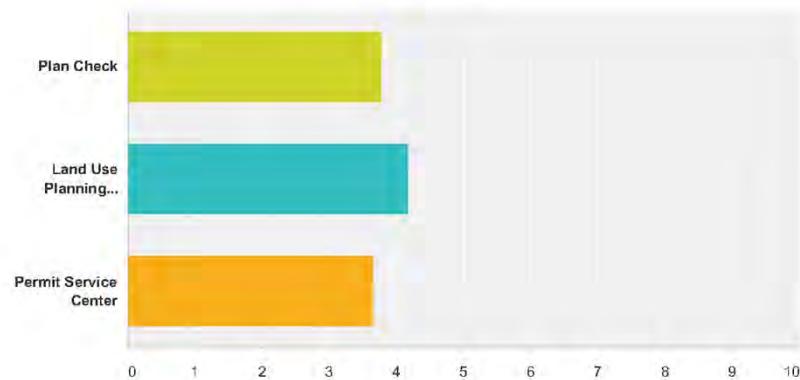
Answered: 130 Skipped: 2



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	18.90% 24	42.52% 54	3.15% 4	22.05% 26	10.24% 13	3.15% 4	127	2.72
Land Use Planning Division	12.50% 15	23.33% 28	16.67% 20	20.00% 24	10.00% 12	17.50% 21	120	3.44
Permit Service Center	18.75% 24	46.09% 59	4.69% 6	16.41% 21	13.28% 17	0.78% 1	128	2.62

Q6 The planning and development review processes are not overly cumbersome or complex.

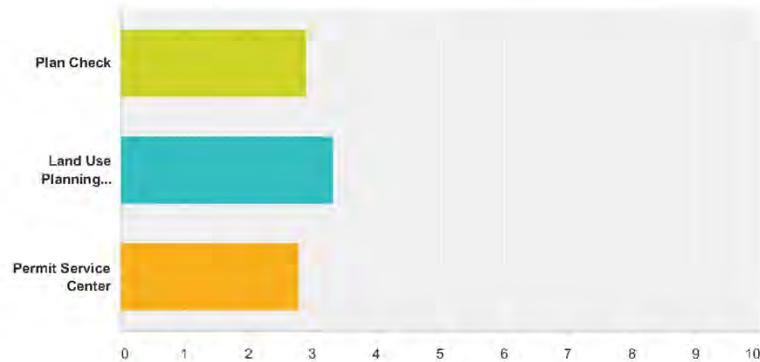
Answered: 129 Skipped: 3



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	6.35% 8	19.05% 24	6.35% 8	32.54% 41	30.16% 38	5.56% 7	126	3.78
Land Use Planning Division	3.31% 4	11.57% 14	18.18% 22	18.18% 22	28.93% 35	19.83% 24	121	4.17
Permit Service Center	4.72% 6	27.56% 35	1.57% 2	32.28% 41	31.50% 40	2.36% 3	127	3.65

Q7 When making an application, I have generally found the City intake staff to be responsive and helpful.

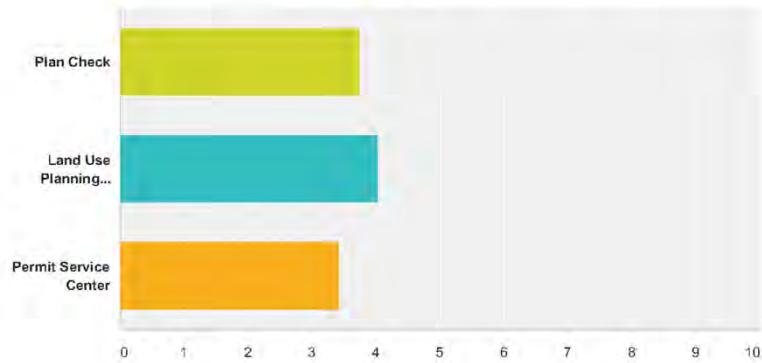
Answered: 131 Skipped: 1



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	15.63% 20	39.06% 50	9.38% 12	16.41% 21	13.28% 17	6.25% 8	128	2.91
Land Use Planning Division	9.92% 12	30.58% 37	22.31% 27	12.40% 15	4.96% 6	19.83% 24	121	3.31
Permit Service Center	18.46% 24	40.77% 53	3.85% 5	20.77% 27	14.62% 19	1.54% 2	130	2.77

Q8 Staff provides prompt feedback on incomplete submittals.

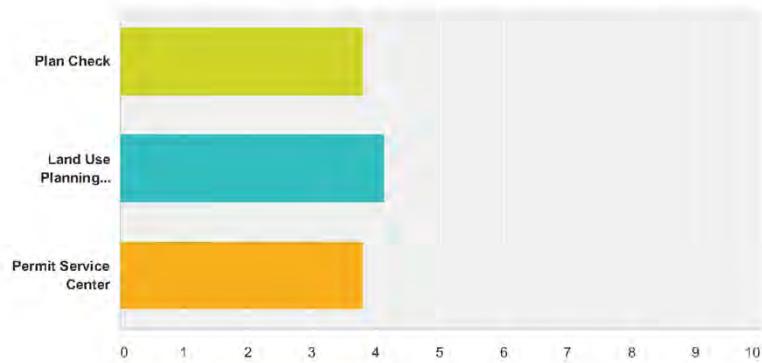
Answered: 130 Skipped: 2



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	3.91% 5	23.44% 30	10.94% 14	24.22% 31	31.25% 40	6.25% 8	128	3.74
Land Use Planning Division	1.64% 2	15.57% 19	24.59% 30	16.39% 20	21.31% 26	20.49% 25	122	4.02
Permit Service Center	6.98% 9	28.68% 37	11.63% 15	23.26% 30	26.36% 34	3.10% 4	129	3.43

Q9 In general, after application acceptance, the Planning and Development Department staff anticipated obstacles early on and provided options where they were available.

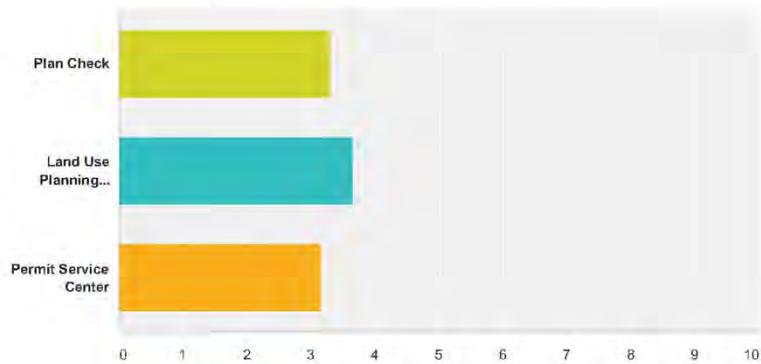
Answered: 128 Skipped: 4



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	3.20% 4	18.40% 23	15.20% 19	28.80% 36	26.40% 33	8.00% 10	125	3.81
Land Use Planning Division	1.68% 2	11.76% 14	25.21% 30	17.65% 21	21.01% 25	22.69% 27	119	4.13
Permit Service Center	3.17% 4	19.05% 24	17.46% 22	23.81% 30	27.78% 35	8.73% 11	126	3.80

Q10 In general, the Planning and Development Review Department staff provided good customer service.

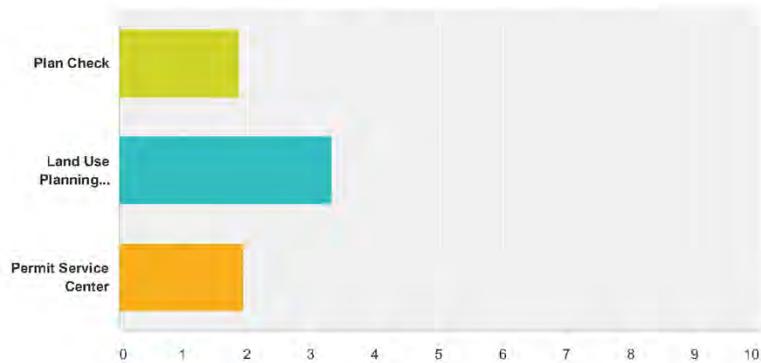
Answered: 130 Skipped: 2



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	8.66% 11	31.50% 40	10.24% 13	25.20% 32	20.47% 26	3.94% 5	127	3.29
Land Use Planning Division	4.17% 5	22.50% 27	25.83% 31	17.50% 21	11.67% 14	18.33% 22	120	3.65
Permit Service Center	10.08% 13	37.21% 48	7.75% 10	18.60% 24	24.81% 32	1.55% 2	129	3.16

Q11 Have you experienced a situation where your project was delayed by a problem that should have been identified during initial review.

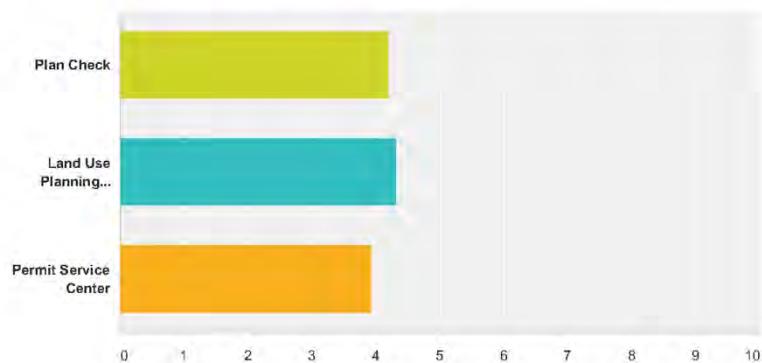
Answered: 129 Skipped: 3



	Yes	No	Not Applicable	Total	Weighted Average
Plan Check	57.94% 73	30.95% 39	11.11% 14	126	1.87
Land Use Planning Division	35.59% 42	22.88% 27	41.53% 49	118	3.31
Permit Service Center	50.39% 64	38.58% 49	11.02% 14	127	1.94

Q12 Review services were completed by the date promised.

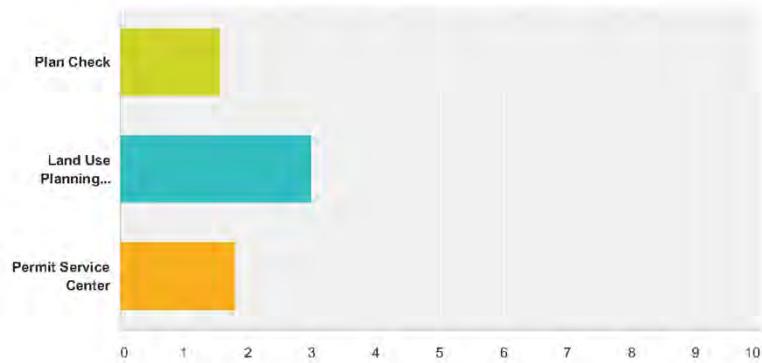
Answered: 131 Skipped: 1



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	1.57%	12.60%	3.94%	34.65%	41.73%	5.51%	127	4.19
Land Use Planning Division	0.00%	13.45%	19.33%	11.76%	31.93%	23.53%	119	4.33
Permit Service Center	3.91%	18.75%	9.38%	26.56%	32.03%	9.38%	128	3.92

Q13 Do you know what the City's stated review times were for your application.

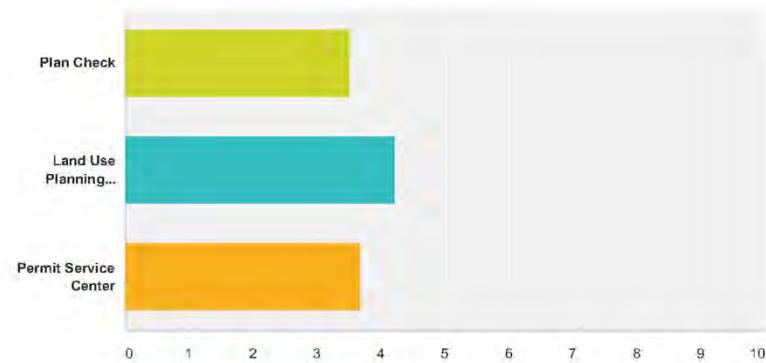
Answered: 130 Skipped: 2



	Yes	No	Not Applicable	Total	Weighted Average
Plan Check	74.80%	17.32%	7.87%	127	1.57
Land Use Planning Division	46.61%	16.95%	36.44%	118	2.99
Permit Service Center	67.19%	21.09%	11.72%	128	1.80

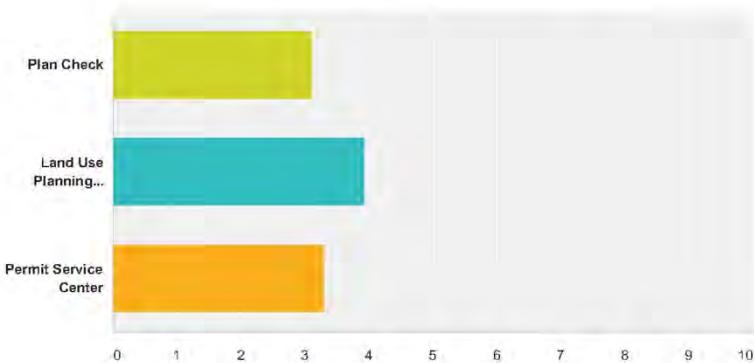
Q14 The Planning and Development Review Department's promised delivery dates are reasonable and acceptable.

Answered: 129 Skipped: 3



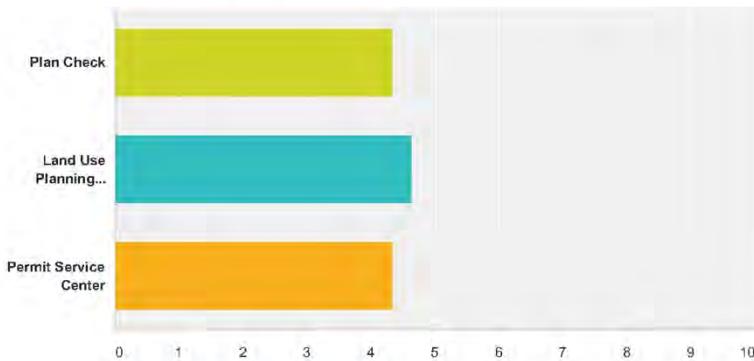
Q15 Codes and policies are applied by the Planning and Development Review Department staff in a fair and practical manner.

Answered: 130 Skipped: 2



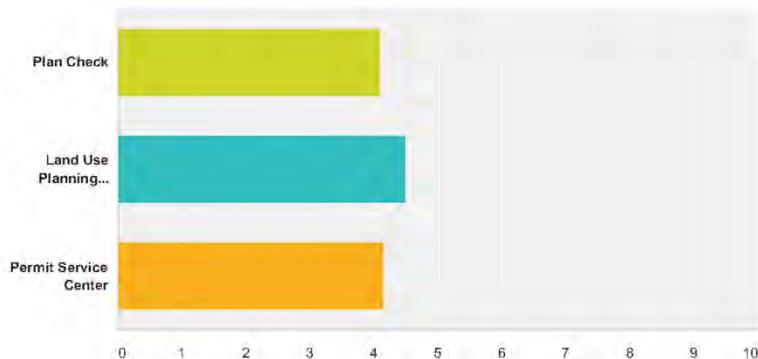
Q16 The turnaround time for review and approval or disapproval of my application was not any longer in Berkeley than other cities or counties where I have filed applications.

Answered: 129 Skipped: 3



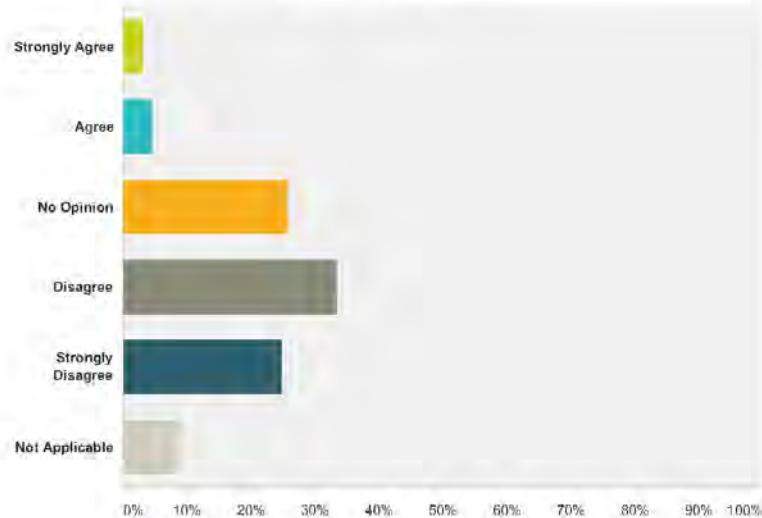
Q17 If project processing is delayed, the delay is typically justifiable. Projects are not delayed over minor issues.

Answered: 129 Skipped: 3



Q18 If a project is delayed, the delay is typically caused by departments other than the Planning and Development Department such as Fire or Engineering.

Answered: 129 Skipped: 0



Answer Choices	Responses	Total
Strongly Agree	3.10%	4
Agree	4.65%	6
No Opinion	25.58%	31
Disagree	33.33%	40
Strongly Disagree	24.81%	30
Not Applicable	8.53%	10
Total		129

#	List other departments here.	Date
1	With the last tenant improvement project we submitted to the building department for a building permit, we were told there were significant delays because the larger projects have priority... meaning, corporate or other deep pockets get priority because they have more money? because for whatever reason, they're dubbed more important...have a bigger impact? I must tell you our projects are VERY big to us, and the patients that in this case, were waiting for their doctor's office to be approved so she could operate having lost her current space. It is disturbing to experience blocks like this that continue to harm small business, non-corporate interests that I thought were the whole point of doing business in Berkeley.	10/19/2016 4:47 PM

2	Building plan checks fail to recognize that we have notes covering specific items they want. They invariably red line the prints asking for notes that are already there. Very frustrating, wasteful of client resources, delays the project - costing everyone money.	10/19/2016 12:56 PM
3	I have found fire and engineering plan checks to be on point, timely and if I have questions the plan checker has been responsive.	10/17/2016 11:22 PM
4	Planning and Development are typically the departments that are causing the delay.	10/17/2016 12:31 PM
5	ZAB and neighbors are a huge problem for the city's planning department. the ZAB is political and has not supported hard working staff decisions in the past because of political networking with members of the community. ZAB should support and respect city planners recommendations and not cower to politics and powerful litigious intimidating neighbors.	10/15/2016 3:34 PM
6	Once planning has approved an AUP or UP and the project moves to building plan check, planning is never the hold up, but the time it takes planning to approve a simple AUP or UP is ridiculous. Fire is often the hold up during building plan check review. Public Works is probably the most reasonable in terms of real world solutions to code problems and reasonable interpretations of the code.	10/14/2016 10:42 AM
7	Fire is the most problematic. Engineering is VERY responsive.	10/13/2016 5:48 PM
8	To the detriment of the applicants, all protocol and procedure and enforcement serve only the City depts, never the best interests of the applicant	10/12/2016 4:47 PM
9	Although Fire is very difficult to get a response from.	10/12/2016 4:04 PM
10	Public Works Building	10/12/2016 3:45 PM
11	Public Works for an encroachment permit	10/12/2016 9:02 AM
12	Usually delays are for very minor causes; never received request; wrong city, etc	10/12/2016 7:33 AM
13	Is planning and development both Planning and the Building Department?	10/11/2016 9:25 PM
14	Public Works through poor coordination. The city should look to San Francisco or Santa Clara where over the county review and approval is the standard practice for reasonably sized projects. The city of Berkeley is way behind in this. It should not take two months to approve a small project requiring no special approvals.	10/11/2016 7:05 PM
15	Many times the city will hire a plan checker, whom has been employed at a different city prior to working at city of Berkeley, therefore this new plan checker is not familiarized with the cities particular codes and policies. This becomes very frustrating when we are waiting over one month for plan review because the new plan checker, issues a correction letter for something that the city has always condoned. Emily Lin has held up countless projects for extremely ridiculous reasons. I once had to make a special trip to the city of Berkeley on my off day, to literally write the number "8" on one of our plans or have to face yet another correction letter. So I went all the way to the city, waited 2 hours, wrote the number "8" and left.	10/11/2016 5:15 PM
16	The permits are always, always delayed by planning and building, but my most recent plan check was delayed by Public Works. They said they were unaware that they were supposed to do a review. Once I emailed Diana Alkinhead, our plans were approved by the next day.	10/11/2016 3:59 PM
17	sometimes public works is delayed. twice the city of Berkeley lost our drawings or forgot to send them out to external plan check	10/11/2016 3:04 PM
18	Building department	10/11/2016 2:47 PM

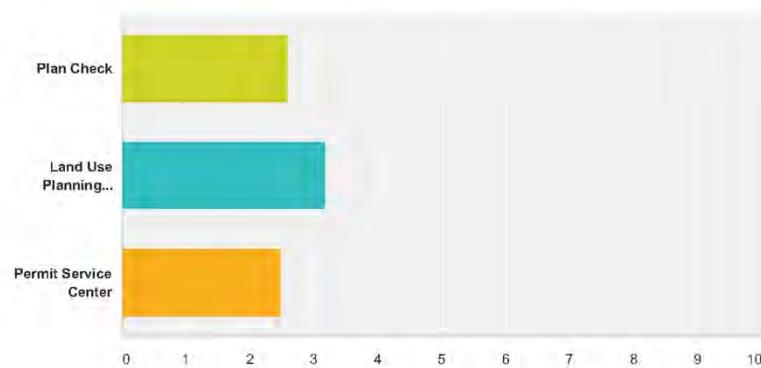
Q19 Berkeley is just as fair and practical in its application of regulations as other neighboring cities or counties where I have filed applications.

Answered: 128 Skipped: 4



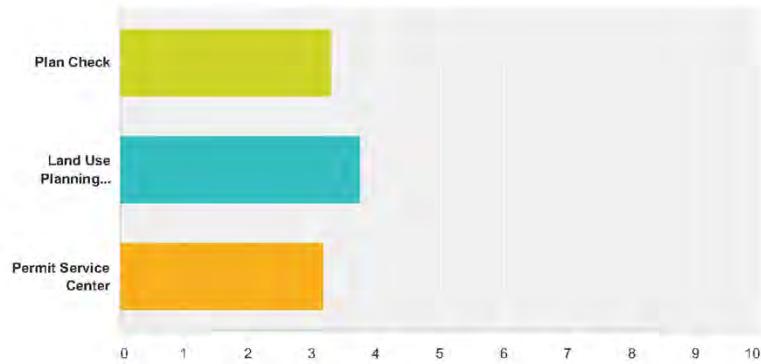
Q20 The Planning and Development Review Department staff was courteous.

Answered: 130 Skipped: 2



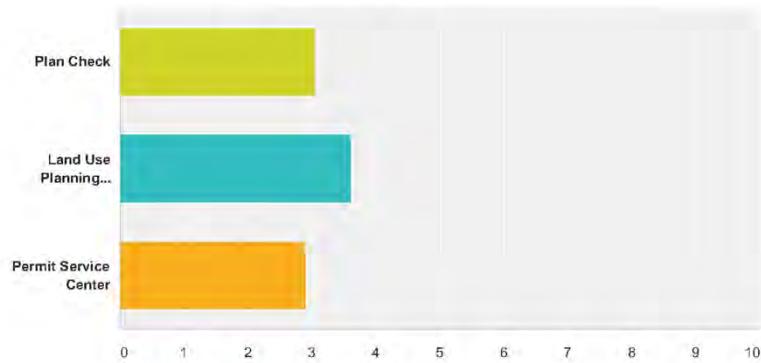
Q21 The conditions of approval or plan check corrections applied to my project were reasonable and justified.

Answered: 130 Skipped: 2



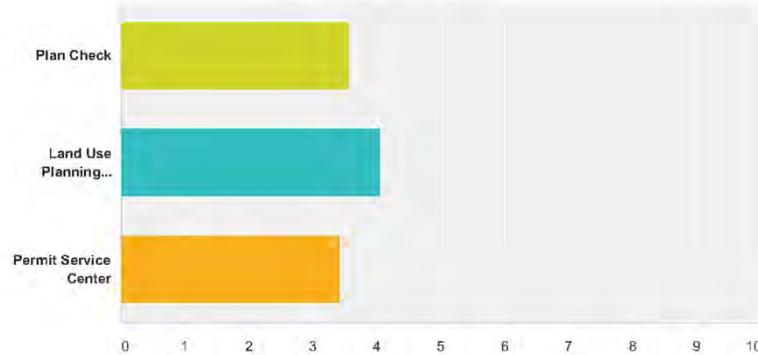
Q22 I found the handouts supplied by the Planning and Development Review Department to be useful and informative in explaining the requirements I must meet.

Answered: 129 Skipped: 3



Q23 The Planning and Development Review Department staff was easily accessible when I needed assistance in resolving problems.

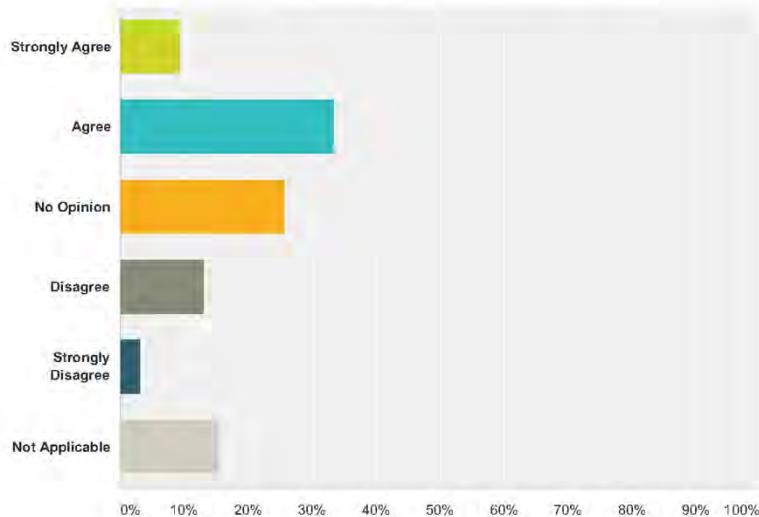
Answered: 128 Skipped: 4



	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable	Total	Weighted Average
Plan Check	4.00% 5	26.40% 33	11.20% 14	31.20% 39	20.80% 26	6.40% 8	125	3.58
Land Use Planning...	3.39% 4	18.64% 22	14.41% 17	21.19% 25	18.64% 22	23.73% 28	118	4.04
Permit Service Center	6.25% 8	30.47% 39	9.38% 12	28.13% 36	20.31% 26	5.47% 7	128	3.42

Q24 Inspectors rarely found errors in the field during construction that should have been caught during the plan checking process.

Answered: 129 Skipped: 3

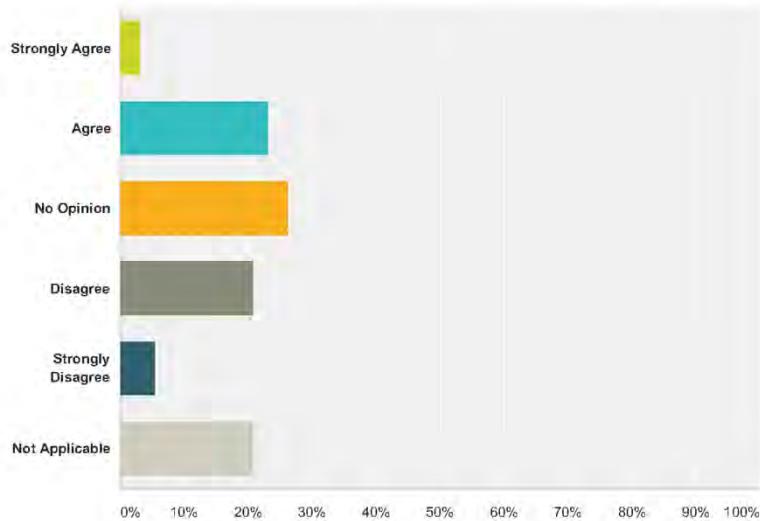


Answer Choices	Responses
Strongly Agree	9.30% 12
Agree	33.33% 43
No Opinion	25.58% 33
Disagree	13.18% 17
Strongly Disagree	3.10% 4
Not Applicable	15.50% 20
Total	129

#	Type any comments here	Date
1	Handrail was disapproved after construction, resulting in much greater expense for us to resubmit and make the necessary changes.	10/20/2016 9:31 AM
2	Field inspectors will no longer accept minor changes without a new plan check review which delays things longer and is usually accepted unchanged except for weeks of changing plans and waiting for review	10/15/2016 8:26 PM
3	Field inspections can be very iterative. The inspectors work closely with David L and Alex R if they find anything in the field. Everyone is very responsive and cooperative when issues arise.	10/13/2016 5:48 PM

Q25 It is clear when Board or Commission review is required.

Answered: 129 Skipped: 3

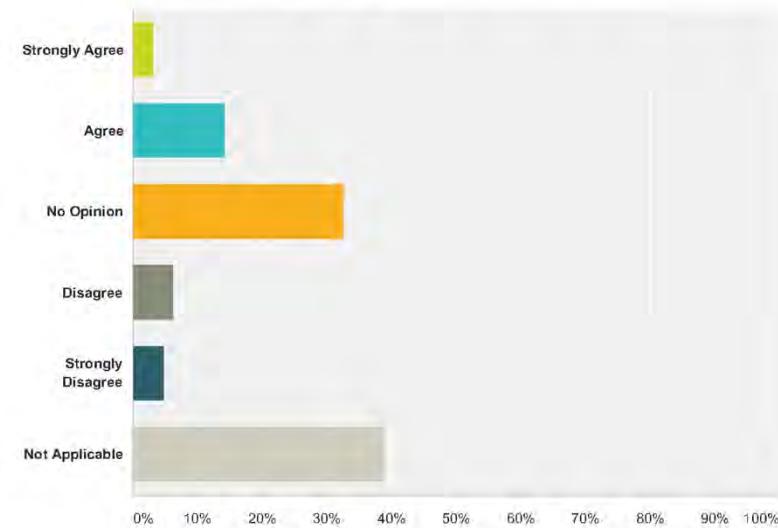


Answer Choices	Responses
Strongly Agree	3.10% 4
Agree	23.26% 30
No Opinion	26.36% 34
Disagree	20.93% 27
Strongly Disagree	5.43% 7
Not Applicable	20.93% 27
Total	129

#	Type any comments here	Date
1	The ZAB should not be involved in planning decisions. They are too politically correct and are swayed by politics. There seems to be no way to stop entitled wealthy neighbors from interfering with zoning and planning.	10/15/2016 3:34 PM
2	Money/revenue is a corrupting influence to the process	10/12/2016 4:47 PM
3	The more logical the requirements and the less in quantity make them more easily understood.	10/12/2016 10:56 AM
4	Have never used Board or Commission review	10/12/2016 7:33 AM
5	not really	10/11/2016 5:02 PM

Q26 The Zoning Adjustment Board was useful.

Answered: 126 Skipped: 6

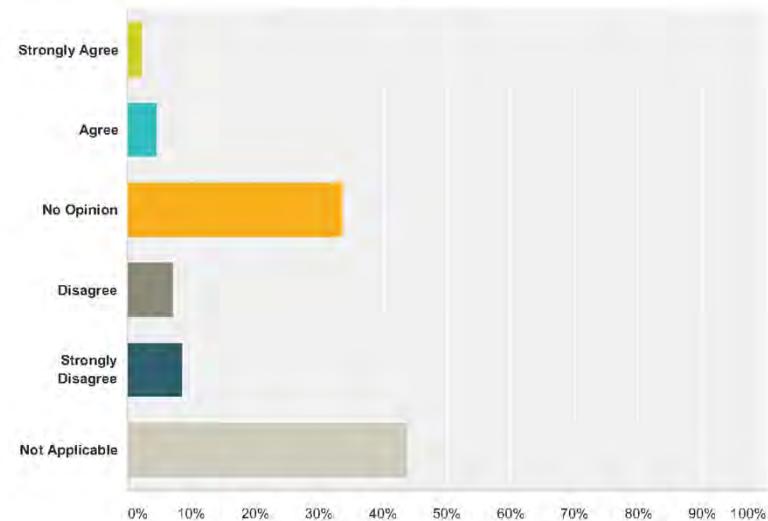


Answer Choices	Responses	
Strongly Agree	3.17%	4
Agree	14.29%	18
No Opinion	32.54%	41
Disagree	6.35%	8
Strongly Disagree	4.76%	6
Not Applicable	38.89%	49
Total		126

#	Type any comments here	Date
1	This process is absurdly slow and cumbersome.	10/20/2016 5:17 PM
2	without the ZAB helping us Chase Bank would own our building and be another big corporate victory at everyone's expense!	10/19/2016 4:47 PM
3	Move more small projects to faster staff review track	10/19/2016 12:40 PM
4	The arguments having to do with parking and shadow studies, could be mitigated by setting up more black and white policies, such as using a "daylight plane" method to enforce not overshadowing neighbors.	10/17/2016 11:22 PM
5	Since the ZAB has become a spring-board for political office, term limits of four years should be put in place for the ZAB	10/16/2016 2:31 PM
6	They were horrible, sheepish, unfair, biased and cower to political interests! The meetings become personal and if one points out errors by the board they are vindictive as they have no one to account to. Reversing their decision is an expensive avenue to take to the city council. Subjective opinions can be influenced and bought and why should one have to engage in endless years of litigation and cost.	10/15/2016 3:34 PM
7	they appear arbitrary and political	10/14/2016 10:42 AM
8	With a couple of exceptions ZAB committee wants good projects. Some members use their seat as a political/pontificating/bullying forum. Maybe a three minutes limit on the ZAB members would help the more thoughtful folks a way to get home before midnight.	10/13/2016 5:48 PM
9	USEFUL is not relentless, it is required.	10/13/2016 11:32 AM
10	A zoning fee for windows/90 seconds is unjust enrichment!	10/12/2016 4:47 PM
11	They take their responsibility seriously	10/12/2016 10:56 AM
12	Never used Zoning Adj Board	10/12/2016 7:33 AM
13	I feel that the H overlay district and AUP regulations are unnecessarily restrictive, cumbersome and costly.	10/11/2016 3:59 PM
14	In general it depends which member of the Board supports or opposes the proposed project	10/11/2016 3:33 PM

**Q27 The Landmarks
Preservation Commission was useful.**

Answered: 128 | Skipped: 4

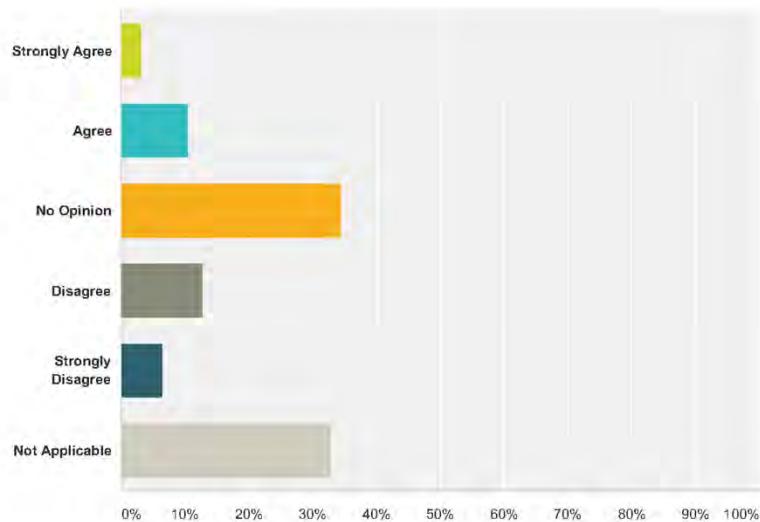


Answer Choices	Responses	Total
Strongly Agree	2.34%	3
Agree	4.69%	6
No Opinion	33.59%	43
Disagree	7.03%	9
Strongly Disagree	8.59%	11
Not Applicable	43.75%	56
Total		128

#	Type any comments here	Date
1	Yet another anti-change forum for politicos	10/16/2016 2:31 PM
2	Biased, unfair, arbitrary.	10/12/2016 10:51 AM
3	I think they overreach.	10/11/2016 3:59 PM

Q28 The Design Review Committee was useful.

Answered: 125 Skipped: 7

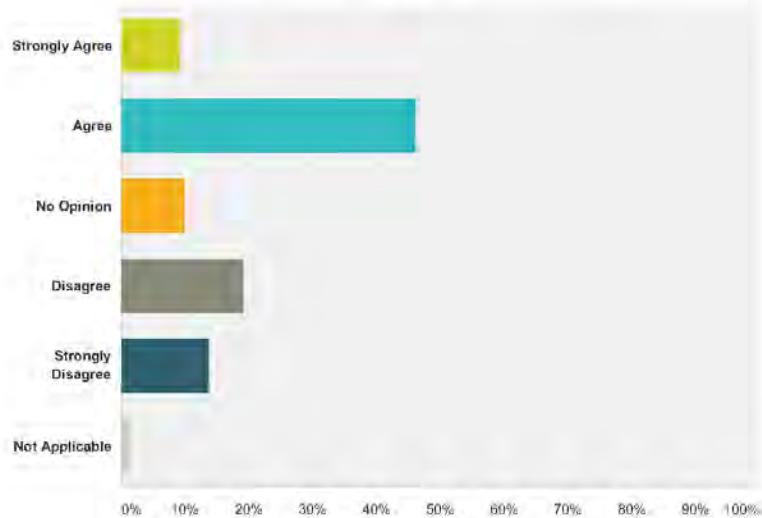


Answer Choices	Responses
Strongly Agree	3.20%
Agree	10.40%
No Opinion	34.40%
Disagree	12.80%
Strongly Disagree	6.40%
Not Applicable	32.80%
Total	125

#	Type any comments here	Date
1	It depends upon who sits on the committee. For a number of years we had some very contemporary architects hijacking the committee even though the guidelines in the DP are quite traditional	10/13/2016 5:48 PM
2	I find them to be arbitrary a good deal of the time	10/12/2016 4:04 PM
3	You should not need a design review if you are adding a receptacle or a light.	10/11/2016 3:54 PM
4	Highly controversial and often subjective	10/11/2016 3:33 PM

Q29 The Permit Service Center was useful.

Answered: 130 Skipped: 2



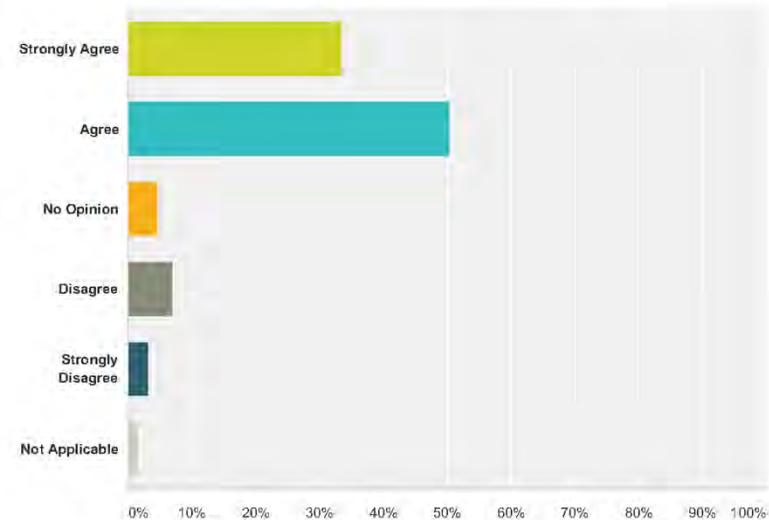
Answer Choices	Responses
Strongly Agree	9.23% 12
Agree	46.15% 60
No Opinion	10.00% 13
Disagree	19.23% 25
Strongly Disagree	13.85% 18
Not Applicable	1.54% 2
Total	130

#	Type any comments here	Date
1	Eventually--when I could reach them.	10/29/2016 3:43 PM
2	I received many incorrect answers to questions.	10/20/2016 5:17 PM
3	Questions were answered, but we were quite mystified by the process.	10/20/2016 9:31 AM
4	The service counters! Inconsistent. Some people are helpful, others waste our time. Many are not educated and informed as representatives of the ultimate authority figures who really make the decisions. Consequently we and others have wasted a lot of time and money on a project we were told would work, only to find a zoning or building official in charge of approval who said the project was not approvable.	10/19/2016 4:47 PM
5	Wait times are too long; need better phone/email access	10/19/2016 12:40 PM
6	The permit service center closes early at 3:30. Staff is helpful depending on who you get. The ticket number to be served function is frequently down and when it is running, I have waited at the Service center for hours just to be told that my number had been lost in the system. Many staff seem to have a "talk to the hand" attitude in general, others do not and are very helpful.	10/17/2016 11:22 PM

7	They're useful b/c you can't do a project without them. But helpful?! Hell no.	10/13/2016 9:55 AM
8	TOO MUCH IN THE COST OF FEES/RIP OFF	10/12/2016 4:47 PM
9	Counter staff generally unhelpful, inefficient.	10/12/2016 10:51 AM
10	Honestly. It feels like the DMV.	10/12/2016 7:40 AM
11	I spent a full day getting a kitchen permit bouncing from counter to counter and in the end they missed critical items. They never explained the online inspection request process and the inspector wasted my time and his by not inspecting items not on "his list"	10/11/2016 8:15 PM
12	The Receptionist always super RUDE. Counter reps super slow & not attentive. Always long wait.	10/11/2016 7:46 PM
13	see final comment	10/11/2016 5:05 PM
14	The last time I was at the permit center to pay additional permit fees, I filled out the request, gave it to the permit center and waited 55 minutes. Went to the desk the person who had taken my request could not find the request. She searched. She talk to three other employees. They fiddled. She finally found it--she had never taken it from her desk and put it in the hopper. By then I needed to go out and feed my meter. I told her that. When I returned she was out for lunch. No one else seemed to understand what had happened. It took 45 minutes for my request to surface to the top so that I could pay the fees. Irritating.	10/11/2016 4:33 PM
15	If I am going to sit at a service center I should walk out with a permit not wait a couple of weeks or Months will we review a simple upgrade or install.	10/11/2016 3:54 PM
16	They were rude, unhelpful, and the entire process for digital submissions wildly confusing and inconsistent. The people at the desk contradicted your official guides for the process, and worse were very unhelpful and rude about it. The system is a total mess. And hand-carrying in USB thumbdrives of PDFs totally defeats the purpose of the web portal and digital submissions process honestly.	10/11/2016 3:41 PM
17	I'll comment later	10/11/2016 3:13 PM
18	depends who is at the counter	10/11/2016 3:04 PM
19	While the staff are friendly individually, they answer the exact question or act upon the exact request. For example, I filed for a permit which requires separate mechanical, electrical and building permits, and ended up having to return twice because none of the clerical staff bothered to mention that I had to fill out separate paperwork for each of these. When I complained that the process and requirements were opaque, I was told that if I was a professional, I would know what I need to do. I then spoke with numerous architects and contractors about the Berkeley Permit Office and was told that the demands can be illogical and random, and that they too were unclear how to proceed. Also, numerous contractors I initially contacted flat out refused to work with me because they did not want to deal with the permitting process in Berkeley. I feel very strongly that the bureaucratic difficulties result in loss of business for both contractors as well as businesses who have to go through the onerous and very time consuming process.	10/11/2016 3:00 PM

Q30 I am aware of and utilize available City Planning and Development information that is online.

Answered: 129 Skipped: 3



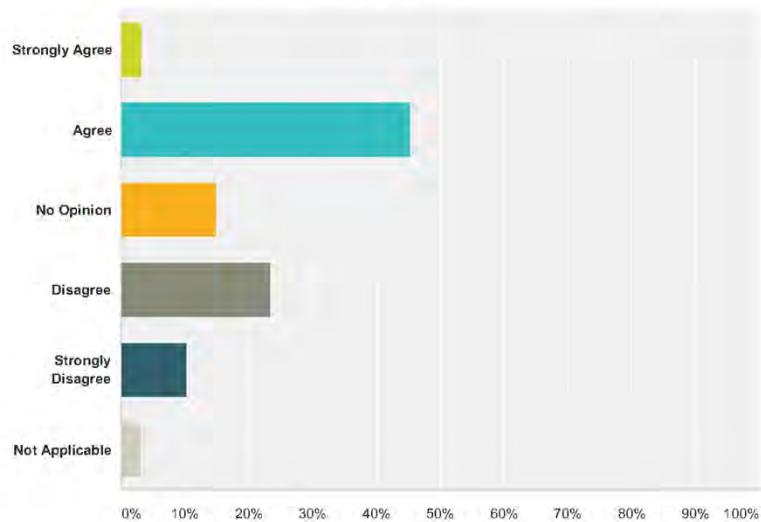
Answer Choices	Responses
Strongly Agree	33.33% 43
Agree	50.39% 65
No Opinion	4.65% 6
Disagree	6.98% 9
Strongly Disagree	3.10% 4
Not Applicable	1.55% 2
Total	129

#	Type any comments here	Date
1	Web site sucks.	10/29/2016 3:43 PM
2	But it did not work properly! Couldn't upload files	10/20/2016 11:42 AM
3	Online information is esoteric and hard for the layperson to use.	10/20/2016 9:31 AM
4	The ordinances, provisions, rules, and definitions are buried, in separate locations, and hard to find	10/19/2016 4:47 PM
5	still need to have staff interpret many idiosyncrasies of the planning code, as well as department "positions" on interpretations of various aspects of the code	10/14/2016 10:42 AM
6	Can be very difficult to find what I need	10/12/2016 9:16 AM
7	Unable to even register a new account multiple tried. Finally need to go in person.	10/11/2016 7:46 PM

8	50/50 chance that the system is not allowing me to sign in at any given moment.	10/11/2016 5:15 PM
9	It is the least intuitive site I could imagine. I am an IT professional.	10/11/2016 5:05 PM
10	The website is terrible and not user friendly. Very difficult to navigate.	10/11/2016 4:36 PM
11	I am aware, but the information is hard to find and often wrong	10/11/2016 3:59 PM
12	The regulations are a bit cumbersome and could be organized in a much more straight forward manner, especially fire zone, Berkeley's building code interpretations and Planning regulations. The AUP requirements are too strict - the requirement for sections and shadow studies are difficult to achieve with accuracy and very costly to the land owner. Each project should be reviewed first to see what its impact might be, before the most cumbersome requirements are asked for.	10/11/2016 3:59 PM
13	Once again if I go online I should be able to pay for and get a permit right then.	10/11/2016 3:54 PM
14	In our specific project, there was a planning rule made in a public hearing a year ago by a planning director that was NOWHERE documented within your online information or even in the City code, and yet was applied to our project. After nine months of back-and-forth review I might add. There was NO chance we would have known about this specific issue ahead of time, and your staff didn't bring it up for NINE MONTHS. The ruling is also somewhat illegal, in that anything with a shower and a kitchen is deemed automatically a 'residence', even when a light industrial commercial use. You can't just make up rulings on the California Building Code occupancy classifications like that. Had we the wherewithal and reason to, we would have taken the city to court over this issue. New rules introduced in public hearings by directors is NOT an applicable standard to planning code.	10/11/2016 3:41 PM
15	Very difficult to navigate, lot's of problems with it. Hoping it will be resolved soon. Inspectors are also not very happy with the website and online access . . .	10/11/2016 3:33 PM
16	I find it sometimes conflicts with what I am told by staff. It is also not always easy to find what I am seeking.	10/11/2016 3:18 PM
17	The online submittal and inspection request is extremely hard to follow.	10/11/2016 3:00 PM
18	site is horrible	10/11/2016 2:52 PM
19	Difficult to use.	10/11/2016 2:47 PM

Q31 The Planning and Development's website provides comprehensive and useful information.

Answered: 128 Skipped: 4



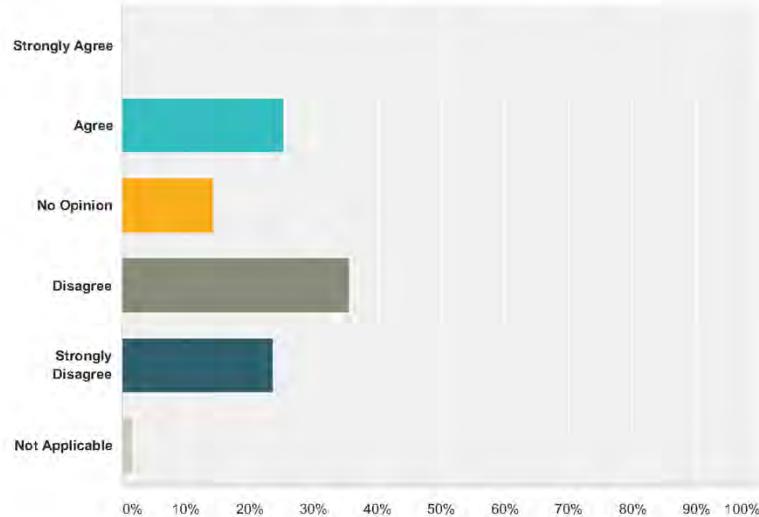
Answer Choices	Responses	
Strongly Agree	3.13%	4
Agree	45.31%	58
No Opinion	14.84%	19
Disagree	23.44%	30
Strongly Disagree	10.16%	13
Not Applicable	3.13%	4
Total		128

#	Type any comments here	Date
1	See above--also website often malfunctions.	10/20/2016 9:31 AM
2	It's very difficult to create pdi's or to print elements of the muni code.	10/19/2016 5:43 PM
3	Difficult to decipher. Invariably need to get someone to explain something.	10/19/2016 12:56 PM
4	could be more clear. somewhat hard to navigate	10/19/2016 11:46 AM
5	some information is out of date, broken links	10/19/2016 10:39 AM
6	useful yes, comprehensive, no	10/14/2016 10:42 AM
7	Hard to navigate.	10/12/2016 10:51 AM

8	See above	10/12/2016 9:16 AM
9	Please put your business hours on the home page. They are buried. Twice I showed up only to learn the counter was closed.	10/11/2016 5:05 PM
10	Very hit and miss. Outdated info. Broken links. Frustrating	10/11/2016 4:36 PM
11	We still end up with many questions, even after reviewing the planning codes. I think better diagrams and more comprehensive definitions would be really helpful.	10/11/2016 3:59 PM
12	But poorly organized and hard to find. It is there when I can explicitly search specific terms previously given to me.	10/11/2016 3:43 PM
13	In our specific project, there was a planning rule made in a public hearing a year ago by a planning director that was NOWHERE documented within your online information or even in the City code, and yet was applied to our project. After nine months of back-and-forth review I might add. There was NO chance we would have known about this specific issue ahead of time, and your staff didn't bring it up for NINE MONTHS. The ruling is also somewhat illegal, in that anything with a shower and a kitchen is deemed automatically a 'residence', even when a light industrial commercial use. You can't just make up rulings on the California Building Code occupancy classifications like that. Had we the wherewithal and reason to, we would have taken the city to court over this issue. New rules introduced in public hearings by directors is NOT an applicable standard to planning code.	10/11/2016 3:41 PM
14	Maybe one day when it works well . . .	10/11/2016 3:33 PM
15	it's cumbersome and not sure where to find what	10/11/2016 3:04 PM
16	The P&D site should have a clear outline of the required processes and affiliated paperwork for everyone. The forms are difficult to find without explicit links or guidance on how to navigate the page, and the process is unclear.	10/11/2016 3:00 PM
17	good luck finding it, it's far from exhaustive/complete	10/11/2016 2:52 PM
18	Not simple enough	10/11/2016 2:47 PM

Q32 The Planning and Development's website is easy to navigate.

Answered: 127 Skipped: 5

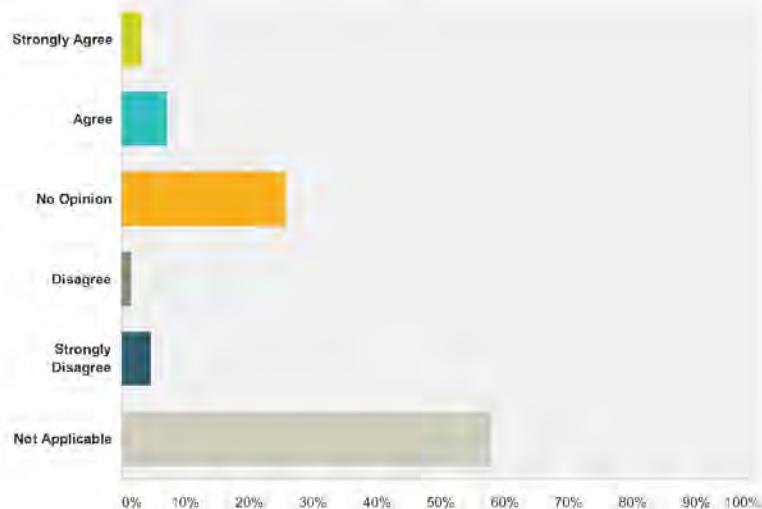


Answer Choices	Responses	
Strongly Agree	0.00%	0
Agree	25.20%	32
No Opinion	14.17%	18
Disagree	35.43%	45
Strongly Disagree	23.62%	30
Not Applicable	1.57%	2
Total		127

#	Type any comments here	Date
1	there should be a button/link that clearly and easily reads APPLICATION STATUS	10/25/2016 9:30 PM
2	I have to click around extensively to find the info I want. E.g. it's not that easy to get to the day's scheduled inspections.	10/20/2016 9:31 AM
3	the website offers substantial information and links; what has been confusing at times are the connections to zoning and ordinances, and other considerations that are part of a process of investigation.	10/19/2016 4:47 PM
4	see .31 comment	10/19/2016 11:46 AM
5	mostly navigable	10/19/2016 10:39 AM
6	We actually Google information and then click the link that usually takes us to the appropriate area of the City's web site.	10/18/2016 3:17 PM
7	The new online service center is hard to navigate. Maybe I'll get the hang of it with time.	10/17/2016 11:22 PM
8	it isn't easy, but it is what I am used to. the new site for submitting plans to building is a pain and doesn't work like it says it should (I can't upload plans - still have to come in to submit corrections)	10/14/2016 10:42 AM
9	A logic directed to finding something is more useful than the system used now.	10/12/2016 10:56 AM
10	The website is cluttered.	10/12/2016 9:22 AM
11	Always getting stuck and takes forever to load. Also many functions do not work and downloads often do not work.	10/12/2016 7:40 AM
12	Open an account for someone who has never used the site and ask them to upload a plan revision or correction. It's nearly impossible.	10/11/2016 5:05 PM
13	Some areas easy/logical; others outdated info and broken links.	10/11/2016 4:36 PM
14	Some things I can only find with a google search	10/11/2016 3:59 PM
15	The Zoning code could have an index with links to subsections. That would make research much faster.	10/11/2016 3:59 PM
16	See comments before	10/11/2016 3:33 PM
17	See above	10/11/2016 3:00 PM
18	Need work especially processing status and notifying users.	10/11/2016 2:48 PM

Q33 The City Council treated me fairly and were courteous.

Answered: 128 Skipped: 4

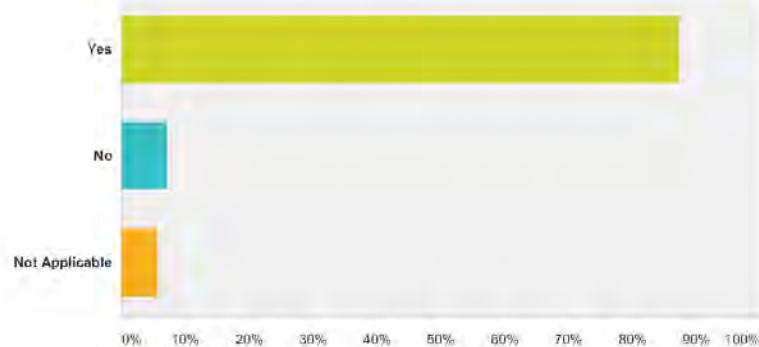


Answer Choices	Responses
Strongly Agree	3.13%
Agree	7.03%
No Opinion	25.78%
Disagree	1.56%
Strongly Disagree	4.69%
Not Applicable	57.81%
Total	128

#	Type any comments here	Date
1	I experience the Council as a Banana Republic. Vicious, personal, and out of control.	10/19/2016 5:43 PM
2	We came before the City Council the first time we applied for an AUP zoning amendment for one 1,520 SF commercial lease space that was appealed. The council was sympathetic, while the city rep (Debra someone) failed at her job when she had been assigned to discover uses that space could have and she showed up without any information. The City council met a second time to hear the research she was assigned to do, and she stood there with her mouth gaping and stuttering because she didn't do the research and had nothing to say. Her boss stood up in the audience and spoke for her saying they would have to retreat again to look into it. This wasted months of effort and money on our part and the ZAB and the zoning amendment was dismissed without prejudice. It is unconscionable to us a City employee could so blatantly lie in front of the entire community and that we lost the needed information and momentum the City council asked her for so they could consider the AUP.	10/19/2016 4:47 PM
3	Our interactions with individual Council Members have been cordial and supportive. It is only when they become a "group" that things become ensnared in bureaucratic posturing and delay.	10/19/2016 12:56 PM
4	Rarely does a Planning or development project have a need to interact with Council	10/19/2016 8:59 AM
5	Deplorable public process.	10/18/2016 3:17 PM
6	Susan Wengraff did not reach out to us when a neighbor complained and instead believed their fabricated story lines without ever reaching out to us to hear the other side. This is not good an exemplary representative of all Berkeley residents.	10/15/2016 3:34 PM
7	The entire permit process and City Council is ,first and foremost , about authority, control, regulation, and MONEY/REVENUE. Yet none of you openly discuss, or forthcoming/honest. It is rationale to reach deep into our pockets. The business of housing,the provider and the receiver , take a back seat to the government controlling, extracting revenue, and regulating every imaginable aspect of the property, the structure, the housing, the limits, the classification, the taxes, the rights.	10/12/2016 4:47 PM

Q34 Was your application ultimately approved?

Answered: 125 Skipped: 7



Answer Choices	Responses	
Yes	87.20%	109
No	7.20%	9
Not Applicable	5.60%	7
Total		125

#	Type any comments here	Date
1	One yes, one still pending	10/29/2016 3:43 PM
2	All applications are on going.	10/20/2016 3:06 PM
3	We are still waiting for final inspection after five months of planning and construction.	10/20/2016 9:31 AM
4	Another recent example of something unbelievable at the City come from a prospective tenant of ours who contacted the zoning department for details about zoning for one of our spaces; the official (whose emails I have copies of) ADVISED THIS PROSPECT NOT TO SIGN A LEASE WITH US AND TO WAIT FOR HIM TO KEEP LOOKING INTO THE ZONING!! This zoning official provided friendly, lengthy details and explanations to the tenant prospect, but, when I followed up with the same zoning official to ask for a couple clarifications he would not send me a single response. I find this disturbing for several reasons; not to mention that he was inserting himself into my business with a prospective tenant, but also how he found it so easy to associate with and inform a prospect and deny me any of the same courtesy and necessary information I have to have in order to business!!! There are so many stories I have like this one, in dealing with the City. How you can afford to harm the businesses that pay your salaries and make the city a vital economic place is beyond me.	10/19/2016 4:47 PM
5	Actually, the project is still in review, having been delayed by at least 4 weeks because the our payment check, that was included with the application, became lost in your bureaucracy, requiring us to issue a replacement check and pay a stop payment fee, only to have the check returned to us 6 weeks later, because "there were no fees outstanding" for the project.	10/19/2016 12:56 PM
6	I have worked with planning staff through a number of AUPs. Plan check expedited services are far more responsive than some planners that I have worked with.	10/17/2016 11:22 PM

7	There is too much power to neighbors in Berkeley. Homeowners should be able to work with city planners and if an application is approved should move forward. Litigious neighbors should not be allowed to cast their money and power to hire expensive lawyers to get their way. Berkeley should follow other cities where ONCE a permit is approved no appeal is allowed. We should trust the professional expertise and experience of our Berkeley city planners alone. No need for meddling neighbors with lots of money to influence city or ZAB. it is too expensive for the city, to time consuming and makes Berkeley residents want to move and live in some less politically driven city. Get rid of appeals!	10/15/2016 3:34 PM
8	Our recent kitchen project was delayed 3 weeks and should have been an "over the counter" but Plan Check did not want to issue due to her feeling that a previous 10 year old project in the same single family residence should not have been issued or approved-even after the complete approved plans were retrieved. Once she handed it to Zoning, it became a ridiculous situation of "someone else" had to approve it. Finally with the homeowner going to the top in Zoning, it was approved as is-with no apology or admission that the delay was unnecessary. Staff needs to realize that in such cases, thousands of dollars are lost when a schedule is delayed. I lost all my subs and lost thousands because the schedule was out the window.	10/14/2016 12:49 PM
9	sometimes.	10/13/2016 11:32 AM
10	Multiple applications. Some permits required tens of thousands of dollars in unanticipated expenses because the field inspector would accept the plan checker's approvals	10/13/2016 7:28 AM
11	I'm still waiting, as it sits in planning. The mere dormancy of the waiting process, causes me, as property owner, the future renter in need of housing, great harm, both in terms of occupying in an environment of a housing shortage, and \$\$\$\$large losses in terms of extended rental vacancy. But what is always the most prioritized element is that government is always in control, always structuring every element, and ALWAYS assuring that government gets it's financial pound of flesh(a large pound of flesh, because government calls ALL of the shots. No freedom. NONE.	10/12/2016 4:47 PM
12	My building permits have all been approved. I have several open planning use permits that are all being delayed by poor communication, a general lack of anticipating difficulties, and difficulties in meeting response times.	10/12/2016 4:04 PM
13	Some were, some were not.	10/12/2016 10:51 AM
14	I have had many applications over the past year. Some are still ongoing. Some have been approved.	10/12/2016 9:38 AM
15	Partially. Had to divide into 2 permits and I will get charged twice for the second part	10/11/2016 11:48 PM
16	Some still pending.	10/11/2016 9:25 PM
17	Only after numerous phone calls, several resubmittals, several visits to your office, begging, pleading etc. Completely unacceptable as these were very minor projects (3) where the questions or issues could have been resolved over the counter in a few minutes rather than weeks or even months. Deplorable behavior	10/11/2016 5:40 PM
18	I submitted three times. Once with initial plans. Second time with corrections. Third time was revised plans. Each time I received feedback or approval over one week after the date I was given over the counter to expect them.	10/11/2016 5:05 PM
19	Agenus is a new biotech company in the city of Berkeley and prior to our facility upgrade of 901 and 793 Heinz Avenue, we met with Carol Johnson and other city officials and requested expedited review/approval to help save over 35 jobs of former XOMA employees. We thank the city for supporting us through this process in a timely manner.	10/11/2016 4:20 PM
20	It is in plan check now.	10/11/2016 4:14 PM
21	Our application, a pretty simple remodel, took 3 months to approve. In the end, we had to call and agitate multiple times to get it moved along.	10/11/2016 3:59 PM
22	Three months later for a simple disconnect switch	10/11/2016 3:54 PM
23	AUP was approved, I'm waiting to hear back from plan check	10/11/2016 3:47 PM
24	Yes, they always do, but it takes way too long at a great opportunity cost to the Owners and the Developers	10/11/2016 3:33 PM
25	I am stuck with an unsafe situation because I could not get my project approved.	10/11/2016 3:08 PM
26	I've had several - some have been approved, and others are still waiting	10/11/2016 3:07 PM
27	Still pending	10/11/2016 2:52 PM
28	still in plan check	10/11/2016 2:47 PM

Appendix E

Customer Comments

Attitude

1. Have a general attitude of approving projects instead making them harder to approve.
2. Thank you so much for taking on the leadership of the Planning and Development Department and asking us for feedback. This is much needed. The best change that can take place is to reimagine the culture of the planning and development department to become a match for the innovation, dedication, efficiency of the private sector designers and building professionals that are bringing in high quality projects to city of Berkeley. It should be the ideal your staff to be our partner in getting projects permitted as quickly and efficiently as possible. To reduce red tape where possible and be empowered make quickly decisions. As an entrepreneur I can't underscore the value of a can do attitude to get things done and what a difference it would be if everyone or staff came to work to get as many projects approved as possible. Going so far as to have an incentive for the planners and permit techs that approve the most plans in the shortest time. My number one recommendation would be to have 1 contact person assigned to each project that customer can call or e-mail and get a timely response back. And would include: -Having a job title for someone to reduce the time from application to permit. Furthermore, as a leader in the planning and permitting community please push back on the continued stream of ever more rigorous regulations from the CBC IBC committee. The regulations that have been adopted in the last 15 years have added 10%-20% to cost of construction on our projects. Although not the sole contributor that is an undeniable factor in the affordability of housing. Let them know that the best job they can do is to streamline the code and stop the trend towards more and more complex building requirements. Thank you for your consideration.
3. Berkeley has one of the worst reputations in the Bay Area for a cumbersome and expensive process. San Francisco is better in many respects, and that's a pretty low bar. Additionally, there's an "attitude" that a lot of us have to put up with when dealing with Berkeley. At the very least, do your taxpayers a service and lower your prices for the unpleasant experience.
4. If there is any way to encourage a general attitude of helpfulness, that would be a great start. I often feel as if I'm disturbing staff simply by having questions.

AUPs

1. Change the way AUP's are approved. In Oakland, a second story addition that's less than 1000SF, can be approved over the counter, and the neighbors are still noticed with an appeal period. The entire submittal time including the appeals

period is 2 ½ weeks. In Berkeley, simply making a change in the setback with no addition takes more than 6 months. Speed up the approvals process.

2. Consider not requiring AUP approval for minor things (hot tubs, minimal changes), or having a separate intake for those, could help minimize AUP response times (currently we're experiencing a wait of more than 7 months).
3. My AUP application might have gotten lost at some point. The estimated completion date was about 3 months out, but the planner that was assigned to my project left and was replaced. I had very little news and the final planning approval took 9 months to complete even though there were no serious issues. I had to check in several times to request a status update to get feedback from the newly assigned planner. Once I started complaining that it was taking too long, I was able to meet with him, go over his minor reservations, and get the process moving. But the delay was in no way justified by the small changes he required. It took 8 months or so for anybody to even take a look at my application.
4. The length of time to get a permit is excessive. Everything seems to need an AUP, and the time is way too long. I am not sure this is controllable since much of this comes from the nature of Berkeley residents that feel that it is their right to intervene in their neighbors' business, then the city council enacts regulations that burden the process. For example, one ugly building gets everyone in Berkeley alarmed and then everyone needs to have design review? Or, the five-bedroom regulation that is absurd. I have had planners insist that living rooms and dining rooms must be counted as bedrooms when there was absolutely no sense in this.
5. My main concern is with the AUP process which is despicable the way it has been dragged out.
6. Figure out a way to streamline the easy approvals that have no neighbor conflicts and no substantial impacts, even though they trigger an AUP. A simple addition on the back of someone's house that has no impacts and no neighbor complaints should not take 8 months to approve.
7. Figure out a way to streamline the easy approvals that have no neighbor conflicts and no substantial impacts, even though they trigger an AUP. A simple addition on the back of someone's house that has no impacts and no neighbor complaints should not take 8 months to approve.
8. The 6 to 8 month for AUP turnaround is extreme. If it is going to take this long, then expedited services should be allowed. Zoning Planners in other jurisdictions take a fraction of the time to review and respond to applications, and generally come off as helpful. Getting questions answered at the counter is difficult in Berkeley unless we know the exact questions to ask. By email it's hit or miss depending on the planner.

9. Could someone just sit down and process AUP's one after another? It's insane that people are waiting a year for a silly AUP. Many people who would like to start a business can't, because they can't endure the wait. You have to be wealthy to get through it, because the time the Planning Department takes to process an application is THE MOST EXPENSIVE PIECE OF ALL, and that is fixable. Fix it, please.

Berkeley Culture

1. I don't think the problem is the people. They are just following the established procedures. It is the Berkeley system that needs to change. It is so bad that I have decided I will never take on another project in Berkeley. Life is too short and I don't need the work that badly. I will let the professional permit expeditors do the painful work. They will get paid for it.

Boards and Commissions

1. Planning is handcuffed by too many commissions, boards, *etc.*, relegating the department to more of an administrative function unwilling to take a position on anything for fear of offending some appointed or elected body. There should be three groups with the ability to influence proposed developments: the planning department, ZAB or some variation thereof, and the council. Landmarks, DRC, and other groups should be eliminated.
2. My multiple experiences on three large multi-family projects with staff has been great. Some of the commissions and commissioners. Not so much.

Building Plan Check

1. I noticed a change when the City of Berkeley started using outside agencies to perform plan check. The outside agencies are slower to complete their review and many of their comments, all of which must be addressed, are common code issues generally accepted by the construction industry. When the outside agencies list common code issues I must pay my design team to respond. On one project I received sixteen pages of comments. When the City staff performs the plan check I receive the response as promised with very reasonable comments. Your in house plan check is very good at what they do.
2. Comment #1: It is still not clear to me if I need to let the City of Berkeley know when I have submitted plan check response online. Comment #2: If you all are not going to meet your target dates upon submission of applications then what are the dates good for? You need to give people realistic dates for plan check response. Comment #3: I have had to, on almost every occasion the past year, advocate directly to plan check examiners and senior building officials to achieve

plan check response in a timely manner. This, in my opinion is unacceptable. Comment #4: It is unclear what the chain of command is at the Permit Service Center. Do I need to address all my correspondence to Pamela Johnson (who I am sure has better things to do) or should I instead address my inquiries to Marsha Cook, Deborah Cowans or someone else? Comment #5: The system of submission for permit at the PSC seems to be broken. You all should have a means of scheduling an appointment online via a system that does not require speaking to a person to do so. Comment

3. It should be more plan checkers available all day everyday not just a few people working. Every time I come to the planning and development department it's always a number of customers sitting around waiting to get helped. No one should have to come and spend extensive periods of time there waiting because there is what appears to be minimal staff.
4. Also, it feels like some plan checkersinspectors are extremely fussy, while others are not. Standards are not being met and t fees random in terms of how difficult a plan check or inspection will be
5. Per the 7/14/15 City guidelines supplied to my client, I submitted designs on 10/20/15 to use pressure-treated wood and plywood to repair water-damaged framing supporting two masonry porches which were four feet above grade, and two masonry stairs which were less than six feet above grade. Plan Check requested additional framing information. I provided information to comply with these requests. Meanwhile, on 2/25/16, my client received a FINAL NOTICE TO COMPLY, but when I called the number posted, Crystal Mota said to "disregard" the notice's erroneous allegation that the City had not received my documents. However, a single sentence, buried in the last lines of text of the third paragraph of this threatening notice, an ordinance revision was revealed: "Please note, only exterior elevated elements which are more than six feet above grade are subject to the inspection requirements". On 3/28/16, I received a second round of Plan Check comments which explained that simply repairing damaged framing would not be sufficient, instead, new water-resistive barriers would need to be provided. Of course, this requirement entails demolishing, then replacing everything, the complete construction assembly: The existing brick and concrete surfaces, the waterproofing system, the sheathing, plus all the framing underneath. After numerous emails, letters and phone calls, on 4/5/16, I was informed of BMC Section 19.28.090. I was not aware of this requirement, nor was my civil engineer, nor was my client's contractor. My point is, if Sec 19.28.090 is a UNIQUE and CRUCIAL building code revision, why wasn't it highlighted, or even mentioned, in the initial E3 program requirements, or the FAQ, or the Notices, or the first round of Plan Check comments? My client has already spent over \$6,500 in professional fees, and now, before completely redesigning the work for a third round of Plan Check, I learn, in passing, because the height

requirement changed, this repair project is not governed by the E3 Program at all. I don't expect building officials to be "passionate", I just expect them to be knowledgeable, accurate, thorough and considerate in all their communications.

6. Inspectors and plan checkers are isolated. This may be necessary, but it is inconvenient for the customer. The morning and evening call in system often results in leaving a message and if an issue needs resolution, only back channels can get it done. Sometimes the rules and regulation seem to overpower common sense from the customer's point of view. Maybe better explanation to the customer of rules and regulation would help or give more latitude to knowledgeable personnel. Finally, I have been in construction and development for more than 40 years, and I have noticed that periodic revisions to the process and culture at building and planning departments do make a difference and I applaud your interest in making this important community service better and more efficient. As a licensed contractor, I understand and believe in the permitting process. I was very disappointed with the inefficient permit pulling process and the inspector with the s*#@#* attitude. I am passing on work in Berkeley. Thank you
7. Where to even begin as I have never seen anything quite like this in over 40 years in this business..... Find a building department that works relatively smoothly (nobody is perfect); there are a number in this area within a 10-mile radius. Embed someone for a few weeks. You do not have to reinvent the wheel. GET RID OF this absurd electronic submittal process, particularly for minor projects. Go back to a system where a plan checker can make minor corrections (which in your city triggers resubmittal) in red pencil, approve the plans, and send the customer on his/ her way. Stamps and inkpads with general requirements that are often missed are still used in most cities I deal with. For god's sake we are not behind the iron curtain or in Nazi Germany but it seems like it sometimes when working in Berkeley. Most (if not all) cities I work in have an engineer available at all times at the counter to check plans where minor structural changes are being made. This is a huge bottleneck in Berkeley. It also seems to me that you have no confidence in your field inspectors and therefore believe you can micromanage these projects from the office by requiring more and more information to be put on the drawings; just more crap to read by everyone including your plan checkers and inspectors. Never forget that those of us who pull permits are the good guys. We are on the same side. Treat us with respect and dignity, not criminals. You seem to forget that your department exists for the health and safety of the citizens, and your behavior toward the building community, is counterproductive since it drives more and more people underground. Some of the work I see being performed (or the subsequent results) without permits (and believe me there is more in Berkeley than any other city I work in) would shock you.

8. Biggest complaint beyond your turn times: Every time I brought in plans on a flash drive, the permit counter technician spent 20-30 minutes either combining files or separating them. Each time I was admonished for not putting the pages of my submission in order. First time I submitted individual files for each page. I was told that they should be combined (but not HOW they should be combined.) Second time I was able to submit revisions on line (so no one was there to criticize me.) When I submitted revised plans, I put a set of five pages of plans plus cover sheet in one PDF file. I was told that working drawings should be separate from engineering calcs, should be separate from photographs. How about a simple handout or page on your website that explains this. I spent a total of a half hour on each of two visits while the permit tech played PDF jockey on his screen. I could have easily prepared files in a manner that would have saved everyone time. Second complaint: how about putting in the window and on the home page of your website the permit counter hours. Twice I came to your offices only to learn the counter was closed. I was told that the hours are on the website. I had a devil of a time finding them. Not obvious. Even a sign in the window that says "Permit Counter Closes at 2 pm Today" would be a help.
9. If a bus driver is on vacation, sick, or otherwise unavailable for service, the bus service does not grind to a halt. When a plan checker is on vacation, sick or otherwise unavailable for service, the projects that he is working on grinds to a halt and must await his return? This is not conducive to a good relationship.
10. The plan checkers need more experience and have to get their nose out of the code and look at reality once in a while. To call out a non-compliant narrow hallway in a 100-year-old house as a plan check comment is ridiculous especially if there was no work being done there. There are provisions in the Calif. Administrative Code that say you don't have to bring everything up to code in an existing building if it is not part of the scope of work. An experienced plan checker would know that.
11. The planning department needs lots of reform. The process is cumbersome and has little provision for the homeowner to manage his or herself. Compare your job card to the one used by Alameda County, for instance. Theirs is clearly laid out with inspection schedules as part of the process. Yours is a confusing, ambiguous mishmash. All plans should be given an initial fitness/completeness review within days (or upon submission), whereas we were twice subjected to extended waiting periods and given essentially no feedback other than " please add more detail" A face-to-face option should be part of every plan review. The threshold for title24 paperwork is way too low. Please reference recent research indicating that these requirements are not resulting in significant energy savings.
12. When there are minor corrections to be made, a policy of redlining the final approved set would be better than requesting responses to extremely minor plan

check comments. It is a waste of time to request a plan check response for something as small as what could be a typo. Also, although the plan checkers have gotten better, they still seem to miss information that is already on the drawings.

13. Examples of unnecessary plan check comments are: An existing furnace is to remain, yet the plan checker requires that I state the energy efficiency rating of it on the plans, even though it is already listed on the T-24 documents. This is ridiculous.
14. A typo of .38 instead of .32 was located in a sentence stating the required U-value of all new windows. Why wasn't this simply redlined? A new drawing was requested, rather than this being redlined on the approved set.
15. Although safety glazing was called out on all of the floor plans, net to the window tags, and shown on the elevations, on the windows to be safety glazed, a mistake was made on the window schedule that safety glazing was listed one line below where it needed to be (not even on the wrong window, but below the line it was supposed to be on, an obvious mistake that the contractor was sure to catch. Yet instead of redlining this with a simple arrow, a resubmitted sheet was requested - a second round of revisions to a near perfect set!)
16. A note was added for Revision 1, stating that the underside of projecting floors are to be protected by 5/8" type X gyp sheathing, yet the plan checker requested in a second set of comments that I need to add notes on an additional page, listing the code requirements. This is completely unnecessary, as I already had the requirements described on the elevation sheet, as a plan check response.
17. These examples are from two projects that are presently under review. This is a waste of the department's time, my time, and our client's money.
18. The building code plan checkers can be too bureaucratic. I had one that was completely stubborn on an issue that I had the State Fire Marshall's blessing. Ultimately, I had to have my council member intervene. It was ridiculous and cost my client a great deal of money.
19. The current system of simply processing things in the order at which they come in seems to bog down the system down unnecessarily, especially with the building dept plan check response to comments...if there is a simple change that the plan checker wants to see and that is it, why does it take them two weeks minimum to respond after we have resubmitted?
20. The current system of simply processing things in the order at which they come in seems to bog down the system down unnecessarily, especially with the building dept plan check response to comments...if there is a simple change that the plan

checker wants to see and that is it, why does it take them two weeks minimum to respond after we have resubmitted?

21. I think that most Staff are helpful and reasonable but when there is a question it should be dealt with by Plan Check on the same day if possible-not handed over to another dept.- which means there will probably be no decision until a consensus of staff and other departments is found. (It appeared to be a case of C.Y.A.) The number of trips and calls that the homeowner and I had to make was insane, adding to cost. Again, over the counter plans should be issued unless there is a clear reason not to. In this case, the Plan Checker felt that 10 years ago the Architect had "possibly" withheld information which was very obvious to any reasonable person-including the many inspectors who had signed off and been throughout the home. This homeowner had "gone by the book" with the City since purchasing the home 50 years ago. Yet they were penalized for doing so because Staff felt compelled to review 50 years of building permits which had been signed off, delaying us without a clear reason.
22. Mechanizing the permit application process was for the benefit of the city than its customers. No help was readily available during transformation or even now. Small/express projects should still be allowed to be submitted by hand (not flash drive).
23. Building Permits- simple and medium scope ones should be able to be approved faster.
24. Permit dept. should have their checkers actually read the plans before redlining them for information they failed to notice. This delays projects a month or more for no good reason. We have submitted plans with all of the required notes about setbacks, sidewalk repairs, you name it. The plan checker refuses to read them, sends them back to us red lined to include the "missing" notes, which are already there! It does not matter how many important notes are included, they seem to be incapable of reading them. Stupid! Time is money. Delaying projects due to negligence on the part of the plan checker is inexcusable, especially when it involved boiler plate notes that are required on every project, and actually on page 1 of the plans.
25. The whole process and the jargon used are mystifying for people who are ordinary homeowners and not contractors. The staff was helpful, but they couldn't really give us all the information we needed, which resulted in a trial-and-error approach, necessitating a number of perhaps futile trips to the permit office. The web site had helpful information, but once again it was couched in jargon that we didn't always understand. I know it was a work in progress and that you were switching over to electronic submissions, but there were many bugs. We often got stuck in a circular process in which we couldn't make any progress toward the

information we thought we needed. However, people on the phone were invariably helpful. Our original plans had a handrail which was approved, but the inspector rejected it after it was already built. We had to resubmit our plans and have the handrail completely redone, all of which was very expensive. All that for three stairs--it seems a trifle silly.

26. We do many unit remodels in multifamily apartment buildings. The process always feels different depending on who reviews the plan. There is no standard turnaround time. I'll be told a week and it can go anywhere from 2 weeks to 5 weeks. In addition, one plan will be approved and then months later I'll submit the same layout for a remodel for the floor above or below and it gets returned for revisions. Once the plans were temporarily lost on someone's desk. Thanks to Cardella for figuring that one out. I appreciate with different plan checkers there is room for different opinions but there should be tighter controls or a way to say this plan was previously submitted as X and was approved so there is a feedback loop to get things corrected internally to prevent the perception of things not being standardized.
27. Give accurate estimates on how long plan review will take. Have employee doing plan check meet in person to go over all corrections and make sure all corrections are provided during first review (in my case additional corrections were identified after submitting revision 1) Make clear all of the relevant information that should be provided on plan -- this was not clear from the information available on line For simple remodel projects (no matter the cost)--ones that do not involve structural work--have an over the counter review of the plan (have a staff person who could do that).
28. Our plans review was outsourced to consultants who burdened the project with an absurd and unnecessary quantity of minuscule requirements and clarifications.
29. The parallel application of Title 24 Compliance (including Mandatory Measures), California Green Building Mandatory Measures and the Residential Occupancies Application Checklist is redundant and unduly burdensome.
30. The system could benefit from increased simplification and clarity as to which elements of a project must be addressed under the building permit versus the demolition, plumbing, electrical, sprinkler system and sewer lateral permits.

Business Licenses

1. Make online business licenses and permits happen. My experiences were worse than DMV with you. Honestly the worse place to get a bus license and permit.

City Council

1. Issues generally arise when council attempts to change the rules to extract more \$ from the process. Example, approving the DP without establishing the affordable housing fees nearly a year later. Then making additional changes when it's clear the affordable housing policy fights with the market reality of their decisions, and developers opt for the state Density Bonus.
2. All developers really want...so we can explain it to our lenders/partners...is a coherent/logical set of rules and fees that don't change. The council keeps picking away at the fringes of the market economics of projects trying to solve a public problem...affordable housing...on the backs of the projects. This puts the planners in a very difficult position trying to apply rules/policies that are undefined and murky.

City Manager

1. Additionally, since entitlement process is so politicized in Berkeley, and commissioners verbally abuse staff (_____), the CM should back up the staff and instruct them to "leave" a public meeting if/when commissioners are out of line.

Codes

1. Have a more open dialogue with code interpretations and to see all sides.
2. If providing more housing is the top priority, then Planning should do everything it can to further that priority, including reducing the massive amount of regulations, permit fees, control of in-laws, parking, open space, setbacks, Green upgrades, including 1.25 gal toilets (100 feet of travel on a clinker with 1.25 gallons, PLEASE!!!), reduction of water on sinks with turning the shutoff valve below. We don't need new faucets. Please !!!

Communication

1. Only way to access people is showing up in person. Phone access is impossible. Messages left for people in office are not returned.
2. At Kaiser the doctors are very busy and yet are expected to return emails within 2 business days. I think that would be a good policy to have at Berkeley to move things along. It is often the endless phone tag and poor voicemail communication that slows things down especially in the planning process. The planners and plan checkers that are good on email are much easier to work with.

Cost of Permits

1. Permits are WAY too expensive. Lower the cost and find ways to greatly shorten the review process.

Decks

2. Provide in writing anyone (15 years ores) requirements for decks of all kinds.

Design Review

3. In our specific project, we underwent a preliminary Design Review, and met at the Planning counter numerous times prior to submitting for permit to be certain our assumptions were correct and our design could work. Only to submit and have our first round of plan check comments come back telling us we couldn't do what we were thinking at all. So after talking with your people at the counter for several months, we still had to redesign the project, because no one at the counter was actually paying any real attention to our project. Had the staff at the desk been more knowledgeable, and actually paying attention, and had the Design Review we'd submitted actually be properly looked at, we would have known months in advance that our design wouldn't have worked. Also In our specific project, there was a planning rule made in a public hearing a year ago by a planning director that was NOWHERE documented within your online information or even in the City code, and yet was applied to our project. After nine months of back-and-forth review I might add. There was NO chance we would have known about this specific issue ahead of time, and your staff didn't bring it up for NINE MONTHS, four months AFTER we'd submitted for permit and not until the THIRD ROUND OF PLAN CHECK CORRECTIONS. The ruling is also somewhat illegal, in that anything with a shower and a kitchen is deemed automatically a 'residence', even when a light industrial commercial use. You can't just make up rulings on the California Building Code occupancy classifications like that. Had we the wherewithal and reason to, we would have taken the city to court over this issue. New rules introduced in public hearings by directors and undocumented in the actual planning code is NOT an applicable standard to how cities are supposed to work. Also now that this project is under construction there have been several things the in-field inspector has caught that the plan checkers didn't. Nothing hugely major, but still, there were several items regarding a roof hatch and some accessibility issues that the plan check didn't even note but the in-field inspector did. The plan check should really do a better job.
4. I have found Design Review to be efficient, even though I am not a fan of the design review board and their lack of guidelines for decision making. What they like or don't like should not be the basis for design review decisions

Fees

1. EEE, because of one, and only one catastrophe, and we all suffer. One lawsuit, and the City has to show it is doing everything to prevent any future reoccurrence. And in doing so, the City generates a ton of revenue, by way of permit fees, contractors being licensed in the City of Berkeley, business tax revenue.
2. And who speaks on such enrichment of EEE? NO One NEVER. A rip off.
3. When will government place a priority on allowing the public to keep their wallets fat? Answer, NEVER. That is what government does, extract money at will.
4. I would like the fees to be explained. I walked in, got the project approved, and the permit fee was \$1,600. I didn't understand why. A detailed statement with how permit fees are calculated should be automatic. I shouldn't need to ask for an explanation.

Fire

1. RHSP and Fire Extinguisher fees are rip offs. No inspections for \$30 per unit. Fire Extinguisher agent is stable for at least 3 years, yet yearly fee. A rip off.
2. The fire districts need to be revised. I was doing a house on Arch near Cedar and it was in the WUI zone. Just because of the 1923 fire, WUI regulations are required far down into the city where they are not warranted in today's city.

Hot Tubs

1. I am a water quality engineer. It took me over 35 hours of my time to prepare and submit all the necessary documentation to get authorization to install a hot tub in my backyard. It took over 4 months to get my AUP approved and I am now completing my electrical and plumbing inspections, required under additional permits. I have paid over \$1000 for all necessary permits. The hot tub is still not installed. This seems over the top and the reason most people do not get a permit to install a hot tub. Having an overly burdensome permitting process that people avoid does more harm than good in terms of protecting public safety. Furthermore, having City staff spend a lot of time reviewing permits for minor work takes away from their ability to focus their review on projects that need more oversight. There is hardly any information posted about the AUP hot tub requirements and I read through every bit of it. After following all the guidance, I still ended up having to amend my application materials a number of times to readjust the scale of the drawing, add a north arrow, recalculate the foot print of my home, verify my house is not built on a hazardous waste site, take additional

photos, *etc...* My project was simple and straight forward. The hot tub will be installed by a licensed installer within the required setbacks and plumbing and electric will also be done by licensed professionals. Shouldn't that be enough to allow me to self-certify compliance and streamline the permitting process? Furthermore, while I understand why you require the signatures of neighboring properties, I felt that it was an invasion of my privacy to have to keep a sign posted on my front lawn for 4 months advertising to everyone who drove by that I plan to install a hot tub. The majority of information on your website is tailored to contractors doing remodels and regularly dealing with permits. There should be a way to allow homeowners to oversee a project such as mine and navigate the permitting process without the additional costs of hiring a professional simply to secure the permits.

Housing

1. Disconnect between housing services and permit center. Recommend punitive monthly inspections after project is in plan check be eliminated. Inspections, although intended to be punitive, seriously undermine property owner and city staff relationships, leaving a bitter after taste.
2. You folks might consider that the need for housing is more important than the limits crushing developers, especially MOM and Pop owners.
3. How are you going to legalize in law units that have unacceptable violations of code? I have one or more units with that hidden issue. How can you get out of your own ways?
4. Housing rules are extremely aggressive, oppressive, and 3-5 times as strict as the guidelines of HABITABILITY. I recommend enforcement, based on Habitability, not more.
5. Rent Control equates to 1.5-2% PAY RAISE PER YEAR FOREVER. Another rip off. How would you like 2% limit on your pay check forever.

Inspections

1. Model after County of Alameda for inspection request online. Inspections are too hard to find out time of window. County of Alameda inspectors call Contractors. Trying to reach an inspector in Berkeley is next to impossible. Assigned inspectors always change.
2. And know both the applicable code and construction techniques, while others appear to be defending their lack of knowledge by aggressive behavior and inspection techniques bordering on "destructive testing". As a Class B contractor, I most often see this from a step away as I observe subcontractors. When I speak

with subs independent of one another, and the opinions remain consistent, I know there is a problem. The Agency I work for does business with a possible 44 other jurisdictions, in addition to Berkeley. I normally do not want to take the time to help COB fix their system, and I certainly do not want to engender animosity with potential building inspectors, but, you opened the forum so you have my response.

3. The field inspectors are renowned for being an uneven lot. Some are very savvy Except for #20 & #29 above the comments above are about my request to retrofit five windows with double-paned, safety glass (when required).
4. I feel as if I am an interruption when I come into the planning and permit office. The inspection scheduling web-site is very difficult to navigate. The same day confirmation or cancel phone line does not get answered until 7:45 at the earliest, and at times the inspector has not turned in his schedule by then, meaning I may not know I have an inspection until an hour prior to the scheduled time. Due to traffic, I often need to be on the road at 7:00 A.M. to make a 9:00 A.M. inspection, only to find out it is scheduled later in the day. Please implement morning or afternoon appointment. I don't want to publicly criticize individuals on this forum (and I don't know who will be reading this feedback). I am having serious issues with the inspection team in the field, which I would be happy to share one on one. So much so, that I have passed on projects in Berkeley as a result of my experience.
5. Multiple applications. Some permits required tens of thousands of dollars in unanticipated expenses because the field inspector would accept the plan checker's approvals.
6. Building inspector _____ is the primary thing I would address if I were looking at the City of Berkeley's permitting and inspections process. He is an obsessive compulsive personality type and lacks the basic social awareness (likely because he's on the cognitive disorders spectrum) to serve as a city building inspector out in the field. He knows his stuff really well, but he operates from an adversarial, agenda-oriented mindset which is counterproductive to both the interests of the city and those of consumers, taxpayers, and building trades professionals. _____ should be moved into an administrative office role where he does not interact with the public or building trades professionals. He is not cordial in the field and once dismissively told one of my clients, "I don't shake hands," when she walked up and attempted to greet him during a plumbing inspection he was conducting in her home. Because of his extreme OCD and lack of the ability to respond reasonably to basic social cues he should not be dealing with the public on their property. Get him out of the field, or sooner or later you'll have a lawsuit on your hands.

7. Setting up an online inspection is a cumbersome process, with a steep learning curve, on a very poorly designed platform. Should be much simpler and more straight-forward.
8. Often, it is not possible to obtain next-day inspections. This problem is much worse in Berkeley than in Oakland. I've had to wait over a week at times to get an inspection, and this causes major delays in work schedules and homeowner satisfaction.
9. The phone-in system to obtain inspection times from inspectors is abominable. Many times I've had to wait on hold for twenty minutes or more to get the needed information. There have also been times I've actually had to go to the permit center to get this information because I could not get through on the phone.
10. Only other questions are in code enforcement, which seems somewhat uneven, depending on inspections. As a past ICBO inspector, I realize the importance of health and safety items which need to be signed off. One or two inspectors seem to go well beyond reason in enforcement if they do not know the contractor. Good luck with improving the Department.
11. Building inspectors and some plan checkers have great attitudes and are very knowledgeable, friendly, and helpful
12. Compared to many other cities Berkeley has a great resource in veteran building inspectors.

Neighborhoods

1. We like the feedback from the city re plan check and zoning. However, we do not understand how neighbors' objections can derail a project - This seems to be an illegal taking of property. It should not be that just because one neighbor disagrees with the city decisions they can then delay and overturn the permitting process through more expensive lawyering and litigations - Once the projects get caught up in this, the property owner in Berkeley can end up many thousands of dollars and years behind in a simple project.
2. We support the City, its knowledge, experience and professionalism to make unilateral decisions that are NOT appealable by NIMBY entitled Berkeley neighbors like in so many other cities. NIMBY neighbors use all of the city's resources because they can and care little for what that means in terms of time and wasted resources. This needs to stop!
3. Like I mentioned earlier, create clear regulations regarding shadowing, -such as using a daylight plan, -see Palo Alto's shadow requirements. As it stands now, the neighbor that is the squeakiest wheel, whether objections are founded or not,

generally takes up a great deal of staff time and energy. I'm all for neighbor contact and involvement, but without clear allowances, arguing is encouraged rather than mitigated.

Ombudsman

1. People have no recourse when staff are not responsive. There should be a contact person who triages all calls, emails and complaints regarding a process that is not moving forward due to lack of response from the city. 2. If a staff member does not respond within the required window of time (my experience included inspectors as well as the plan check staff), there should be repercussions for the staff as well as a means of expediting the process since the fault is not that of the applicant. 3. There should be a graphic flowchart of the multiple processes required for the public with affiliated forms and windows of time within which items will be reviewed that makes the entire process perfectly clear for laypeople. The Berkeley Permit Office is infamous for being difficult to navigate. Especially during this busy building period where contractors can pick and choose jobs, many opt to not work within the city to avoid dealing with the Permit Office. As I mentioned above, the only reason that my permit seems to have moved along was because I reached out to my councilperson after months of no response to over a dozen attempts via email and voicemail to contact various staff members. The whole process has resulted in unnecessary and unacceptable cost overruns,

Other

1. Your office removed an affordable rental unit of 60 years from the market. Will now return to main house as a spare bedroom. Quite a waste.
2. Improve efficiency.
3. Look at city of Oakland as a business model. Currently the best in the area.

Other Cities

1. I work in several cities in Bay Area to renovate properties. Berkeley is most difficult... more difficult than Oakland, El Cerrito, etc. City staff has a "can't do" attitude, especially permit center counter staff. They treat you like you are interrupting their work, rather than as a valued customer. Regulations are excessive, and interpreted far too strictly. Departments don't communicate with each other, or have conflicting requirements. Staff sits in separate silos and blame each other rather than solving problems. It seems the mission of the staff is to stop all work, regulate everything, and make everything difficult, rather than to facilitate constructive improvements to Berkeley's urban life. I sincerely hope you can change the culture.

2. This is my most important comment. Developers like me will go elsewhere if it continues to take so long to get to permit. I will continue to work in Berkeley and love this city. We can make it better together. Thank you!
3. Again, go over to the city of San Francisco and learn how useful streamlining would help Berkeley. As it is today, it is broken and needs mending. A shame really. 2. The city should look to San Francisco or Santa Clara where over the county review and approval is the standard practice for reasonably sized projects. The city of Berkeley is way behind in this. It should not take two months to approve a small project requiring no special approvals.
4. Ask contractors what was the best experiences of any city or cities to pull a permit plan check *etc.* Find what city or cities they were go down and check out what they do
5. The process of getting a residential permit through Berkeley is more difficult and longer than: Oakland Piedmont Albany El Cerrito LaMorinda Walnut Creek Alamo Danville
6. You should look into how San Francisco and Oakland deal with Electrical permits. SF I can upgrade a service online Oakland I can walk in and walk out with a permit.

Over-the-Counter

1. After over the counter plan check approval, applicant should not have to go to the back of the line in the PSC. It can take three hours to get over the counter plans. Zoning review should be before plan check. I have had a zoning correction a full week after my plans were approved by. Hildegard and safety.
2. I think having 2 trained and permanent plan checkers on counter throughout the day at least three days a week, would streamline some extremely small projects that should be over the counter anyway (rotating plan checkers daily is not an efficient way of conducting business). (I pull permits all around the bay area and have found no other city to be as time-consuming of a process as the City of Berkeley) Due to lack of staff available, we are no longer able to have OTC approval, but rather having to submit our applications for months on end. A few years ago, I was able to obtain virtually every single one of my building permits OTC and rarely did I have to submit projects. Another note to add, I find it very detrimental to my company as well as the city of Berkeley to have a limited amount of submittals & approved permit pickups, per day. The public is only allowed 2 per day, meaning that I must come back multiple times per week in order to productively conduct business in the city of Berkeley. Thank you for reading and addressing the Publics concerns.

3. More over the counter permits should be provided. time between submittal and response is too long. Time between submittal and permit is too long.
4. Many more applications should be approved over the counter such as window, siding replacements, bath and kitchen remodels.

Permit Staff and Permit Center

1. The permit desk staff is great. They are courteous, friendly, and conduct themselves professionally.
2. I like most of your staff. But several people working in the PSC seek more eager to point out problems than to come up with solutions.
3. Once the permit application has been approved, job card, permit and receipt could all be printed at one location. Berkeley Permit Center is very easy to work with, very few errors made. Probably something on my part.
4. Permit office staff are rude.
5. Right now we are in a high demand period and some of the issues may stem from that. In general, the walk in system is good in the permit center with the single point of contact at the beginning and direction of traffic. Often the stations are not fully staffed. I suggest that more staff be hired. When an applicant gets to the counter, few of the people are empowered to do anything other than intake. It would be beneficial to get more training for staff to give more decisions at the counter.
6. Counter reps need to work faster & respect people Should fire _____. She's super rude & unhelpful!!
7. -Better training so that counter staff has the information they need to. -More counter staff so the average wait time was less than 1 hour. - This may sound crazy but consider in there is nowhere in the private sector where a customer is asked to wait even an hour.
8. I have dealt with the City of Berkeley's Planning and Building departments for a bit over five years. Most interaction with Planning has been to check-off that their approval is not required. Always the personnel are pleasant and competent, and almost always very efficient. The Permit Center's counter personnel are equally competent and efficient, and good natured. They strive to assist navigation, and seem especially aware that procedures have changed, it's frustrating to everyone, and their help is appreciated. (Sometimes the scowl on their face belies a generous personality.)

9. All went well. #20 & #29 have to do with paying the additional fees due on a project that a contractor was handling for me, *i.e.*, replace 100+year exterior shingles and add insulation to the walls. When he applied for the permit the Center was in the midst of installing the new computer system and was unable to generate the fees, so gave him the permit with fees pending. Once the project was finished and we wanted the final inspection, I went down to pay the fees directly. I knew how much the fees would be, I had the permit number. But mishandling of my request to pay fees was sloppily handled and it took two hours for what should have been a 15-minute process. During that time, I had lots of time to watch the employees at the Permit Center. They often gathered three together, chatting and looking for things. It seemed they had to do everything in a group (like kindergartners).
10. Info center is helpful. Mostly very nice and helpful staff except one lady.
- 11.. The intake person at the Permit Service Center was a little surly on my first visit there, but was better on subsequent visits. There seems to be a difficulty in dealing with nonconforming conditions of there are a lot of in Berkeley given the age of some of the buildings.
12. The counter staff is often socializing and engaging in personal tasks on their mobile phones while people wait for assistance. A recent visit when the automated queuing system was down felt like time came to a standstill. In addition, one of the counter staff went out of the way to insist that I could not receive a permit over the counter, offering no assistance. Then a plan checker approved it. Why subject me to the abuse? I would definitely volunteer to spend time assisting in improving the function of the whole department. Make a public call for volunteers and I'll respond.
13. While many of the staff are pleasant and helpful, some exceedingly so, I often feel when I am waiting to see staff that they feel no sense of urgency to help those waiting. They don't seem to operate with much efficiency and often stop and chat with each other about seemingly unrelated issues. In the meantime, a dozen people are waiting for their name to be called. I also believe there should be some streamlined process for getting changes to a permit approved more quickly so as not to delay construction unduly. I am currently on day 12 of submitting some drawings for foundation change. The change is a code footing, no special detail or calc, and the job sits stalled, with an open trench and rain coming because we can't get this change approved. The change has been signed and stamped by the structural engineer and I have contacted the plan checker 4 times. I know everyone wants their issue to take top priority but it seems there should be some way to expedite approvals for projects under construction. I applaud your efforts to improve the experience of working with the City of Berkeley. Thanks for asking.

14. I sent in a permit application and tried to call several times to make sure they got it but no one every answered the phone or called me back. I then finally found out that they shred all of my paperwork as soon as they got it because there weren't enough drawings, but they never let me know about this. I then called more and more and finally got through to someone who couldn't find my paperwork at all. We eventually found out that the permit service staff shred it and didn't do anything with it. We were doing this job for PG&E and really needed the permit. Finally, this really nice lady called me and fixed everything for me. I forgot her name but she got me a permit super quick and we were able to do the job.
15. I find the Permit Service Center and the Building Department to be extremely effective and efficient for me and I have processed multiple building permits in the past 2 years.
16. In general, staff at the Permit Service Center are simply intimidating. I am afraid I will say the wrong thing, get on their bad side, and have my project be rejected. They hold all the cards... Judge and executioner and it's very intimidating. I understand that they know the codes (they live and breathe them, that's their job) but I don't. I'm just a homeowner asking questions and trying to do the right thing. I need help navigating a system they know and I don't. Please have a little patience with regular folks who are not contractors and don't know the Berkeley codes in and out. Thank you.
17. And please please hire more staff and fix the wait times at the Permit Service Center. 3 and a half hours in line just to ask a couple of questions is nuts. Right now, I have another project in mind for my home but before I even start I have a few questions... I haven't been down to the permit center to ask because I don't have 3 hours off during the day 9a-4p. Is there a way I can have a consultation over the phone?... Not sure
18. The largest problem is the dissemination of inaccurate planning information. On multiple occasions I have been given erroneous information that causes my project to be required to have an AUP when initially told that it would not. On another occasion, I was told that I needed an AUP, but subsequently just design review. My clients do not like unexpected surprises, and I often cannot bill them for all the time that goes into changes or additions to the drawings.
19. This is a problem with Oakland, as well. It has not been a problem with agencies on the Peninsula.
20. The solution is probably more experienced staff, or more coaching before putting them on the counter.
21. The process is better and clearer, when first coming to the Permit Center. That is all good.

22. Thanks for the survey. I am a lifelong resident of Berkeley and have seen the building department get both better and worse in ways. It is a mix. The best approach is to look into it as you are doing, and try to address the problems. Finally, the largest problem by far is the inaccuracy of info given out by the plan check counter. This should be your highest priority.
23. The culture and attitude of the staff in the Permit Service Center can at times make the permit process very annoying and more inefficient than it could be. I have witnessed staff discussing personal matters between themselves while the waiting area is full of people waiting to be helped.
24. Have a clear checklist of items/information needed for permit application and approval, including format required or recommended. This could either be already delineated on the web site, and/or have a list with check boxes and have a clerk at the permit center review and check the particular items needed, thus minimizing need to correct or add things later. This may seem unnecessary, but for an infrequent user of the permit center (like myself), it would help me organize the steps needed to get my work completed.
25. There are always attempts by counter folks to add fees even on small projects that did not require certain inspections, and they give the implication that customers who argues with them will "suffer".
26. There is an attitude at the PSC's counter of "take it or leave it" especially when applying for a permit. One leaves with the impression that they have the last word (even when they are wrong, arguing with them is a lost cause and can negatively impact whatever application is at hand).
27. One of the best things I saw was David Lopez coming out into the lobby to check in with those waiting to make sure they were waiting for the right service and took care of simple matters quickly- a triage of sorts.
28. It would be great if he or someone else with a lot of knowledge and a great customer service attitude could do this all the time. A greeter!
29. SF, and CCC, does over the counter plan check for even complex projects- could Berkeley offer this?
30. The request for service system could be a lot better especially when various departments are involved.
31. Try to make the public (customer) feel like they are respected and the City Staff is there to help and not treat as though they are guilty of causing the staff an inconvenience.
32. Better Customer Service!

33. Smile

34. Much has been done about staff helping clients visiting the permit center. Everyone has been really helpful and wonderful. My experience there has been very positive compared to the past.

35. I hear many stories about how frustrating the city of Berkeley's building and land use departments are for so many people like me. Whereas, other cities are so much easier to get information and approval from. The clerks at information desks OFTEN give limited information and ultimately do not know the intricacies of the approvals that this City requires. Being given incomplete information at the counters has resulted in the significant loss of time and money for us and other people (we heard another person complaining of the same thing at the counter): How can one arm of the city give approval that we act on and spend critical, time sensitive resources on, only to be told by someone else at deeper levels of the approval process that, no, this project is denied?! After being forced by the current economic forces to re-tenant and re-zone most of our building over the last decade, we have many stories of frustration and disbelief at working with this City. What it comes down to for us is, do you want to help or don't you? While there are some outstanding people that work in planning, permitting, zoning, etc., most of what we run into is "NO CAN DO", no response, no help; no one saying "let's find a way to make this work". It appears that most of what we experience is people in the city looking for reasons to deny our critical business applications and ideas that we and our tenants need to be able to do business today. We all know the retail economy is rapidly disintegrating under Amazon and other near zero margin conglomerates who we cannot compete with! Why make it so hard for us, out here in the trenches, to change and bring in what business does work?! DO YOU WANT TO HELP SMALL BUSINESS OR DON'T YOU? Help us!! Make the application faster, get us the bottom line sooner, and stand by your decisions when we submit building plans. ADAPT TO THIS MARKET AND GET FLEXIBLE LIKE WE'VE HAD TO DO!!! THE CITY IS NOT AT ALL SENSITIVE TO WHAT IT TAKES TO BEING IN THE \$\$\$ WE ALL NEED TO FUNCTION! PLEASE WAKE UP!! KNOW THAT WE HAVE TO MAKE MONEY ASAP; ** TIME IS MONEY!!! ** OTHERWISE YOU ARE HELPING CORPORATIONS TAKE OVER OUR WAY OF LIFE. IT'S THAT SIMPLE.

36. We get different + many time contradictory feedback from different Planners at the Counter when looking for feedback prior to a submittal. Specific Plan Check intake staff lack professionalism and are not customer driven or focused. While I have empathy for the amount of frustration staff must handle on a daily basis, there must still be a level of professionalism upheld.

37. I was subject to design second guessing on a failing 2 foot retaining wall. It took three rounds of review to do what would have been done with red-line marks in San Leandro. I ultimately left the wall in place because it was so difficult to deal with the permit center. I was never able to log in to schedule inspections, and at least three clerical errors were made in processing. It was a terrible experience.
38. When I applied for a permit, your intake counter told me that Berkeley only accepts flash drives or CDs of the drawings. I feel there should still be the option of allowing 3 copies of printed drawings. Not everyone has access to digitize drawings. Fortunately, the intake person allowed me to submit my 3 copies because I had them in hand.
39. When there are any comments made for the application, the Permit Center should sent an email to the applicant notifying them that a comment has been made. I received one email for my corrections. However, I did not receive any email that a file I uploaded was corrupted and could not be opened. This caused my permit to be delayed because for weeks I thought it was just being processed.

Plan Review/Process – building and planning

1. Plan Review has to be quicker without an additional charge to the customer. I work in Berkeley frequently and this year have not received one approval or plan check letter at the time promised. This is not an insurmountable problem: hire people or utilize independent plan check agencies. Building and Planning has a reputation of looking for trouble. Inspectors will look for problems, issue violation notices, but the City cannot process correction drawings in a timely fashion. It makes the City look petty, because only they can disregard the time limits set by the violation. Planning & Building should work out their scheduling problems before threatening property owners with timing violations. Building and Planning often appears to do the bidding of other City departments. A property owner has an issue with the fire or police department and the City uses a housing inspection as a means for causing the property owner to comply with problems found with the inspection. The inspection found violations, but it is viewed as punishment meted out by a big, impersonal bureaucracy. I assume that is a reputation the City wishes to avoid, through this survey. Building & Planning should be free of interference from other agencies and departments in the City.
2. More transparency about the internal steps applications take in the plan check and zoning processes would help us understand what to expect.
3. Mandatory wait times for review should be shorter. Projects are taking several months to complete. Especially for corrections.
4. My contact with the planning department was generally positive with the exception of the update to those who submitted for plan review. Problems

encountered were: 1. The department meeting their own response times 2. Updating the department computer in a timely manner with notifications to those who submitted request for plan review. 3. Incomplete notification of process of review steps. Example, when I submitted plans and after approval of the plans and estimate of cost, the process went no further. After I waited for weeks no notice was posted in on your system to advise of status (simple stated process was in zoning; which was confusing to me as all work is in the interior of the building). I started calling the department to find out what the status was and after a couple of calls, I received a call advising that a sewer lateral permit was required before a building permit could be applied for and issued. At that time was told the lateral permit could only be taken out by a Plumber or Class A. This was not advised in your computer system. In fact, it seems that the department who deals with issue was only advised by my inquiry. Who thereafter informed me of the status of my application. In other words, my call triggered there review to determine a sewer lateral would be required. I have lost many work weeks before starting the work because this failure to notify.

5. I see your current system as bureaucracy focused. By this I mean you have a set of goals people must pass through, both the users of the system & employees, and you move from one to the next. At each step you get a new wait period, and any revisions require further waiting. While this may work for simple permits (over the counter type things) for projects of even slight complexity it fails miserably as soon as someone makes a mistake. Once a step is made in the wrong direction or something is missed on either end (user or zoning/building employee) it creates a spiral of delays that is difficult, inefficient & demoralizing. Additionally, employees often do not seem to have any I think projects of a complexity that is beyond over the counter should be assigned a zoning and a plan check employee who sits down and meets with the user directly to review plans, resolves issues. The employee then has direct responsibility of that project through receiving the permit (full process). The user than has point of use contact and a trusted individual they can work with for the full process. I do not of course fully understand what hurdles this creates internally, but it would be a much more user friendly service. The high cost of permits is often difficult to pin down to actual customer service in the current system as with nearly every interaction the user must start again at step one and go through the hoops.
6. Berkeley is one of the toughest places to do business. Permitting process is cumbersome and everything must be resolved and/or approved by a committee. It seems like not too many people with the authority to make on the spot decisions to help move through minor issues. In a growing economy where there is much going on, having new staff members quit and move on to different jobs, just as they become familiar with the system is counterproductive. I think there is way too much work that must go through the process and not enough staff members

who are qualified and make decisions. Ideas: 1. Streamline the process and set up appointments to review the project to help resolve as many issues as possible in one session. A cooperative spirit is essential to help everyone achieve their goals. For example, I know some of the inspectors are much more cooperative and helpful in providing information on the job site to avoid future problems and possible violations.

7. Do what you can to deliver plan review and approval on time. Either more realistic deadlines, or better turnaround. It makes us ALL appear unprofessional.
8. I would suggest an ombudsman service when the process is clearly hitting a quagmire. I would make special arrangements for licensed contractors in nearby cities to be able to do small jobs in Berkeley without having to get a business license. I suggest being more cooperative with Berkeley homeowners who are planning small alterations. The sense among homeowners I know is that you have to hire a Berkeley "in-crowd" large-business contractor to get any plans approved. Have a training on how to avoid discrimination against the elderly.
9. In closing I have two comments - 1) I have developed constructive relationships with staff in all departments and do believe that there are many people in the organization that want to do good work and that are helpful, thoughtful, and pleasant to work with. My frustrations stem from the city's collective inability to handle the overwhelming crush of project applications received in the last 1.5 years. The system is broken and needs to be fixed.
- 10.2) I applaud you for reaching out and asking for input from the community that works with you day in and day out. Thank you for your efforts to make working with the City a more effective process!
11. I am a young Architect building my first home with every penny I have been able to save over the last 5 years. Both the Planning and Building Departments added huge delays and costs to my project because of issues that were not important or major and did not affect the safety of the building and community. In the case of the planning department, I asked the question 3 times if I could apply for building permits for my project in phases and received an affirmative answer all three times, then when I applied for my building permit, the planning department commented that I had to apply for the entire scope of work that had been approved through planning on a SINGLE building permit, effectively doubling the size and cost of the project I had been planning on completing first. They didn't care at all about the wrong answers they had given, and there is no way to hold them accountable as there is no formal question and answer process. They also didn't care that in the real world, people without deep pockets have to finance their construction projects, and forcing someone to permit a huge project on one permit makes it nearly impossible to get financing. I found them to be

unreasonable and the effect their decisions have is to make it nearly impossible to build in Berkeley unless you're rich. The building department is so far behind on permitting that the delays are absurd. They intake everything no matter how minor and they are horrifically nitpicky for small and minor issues. Everyone I have talked to after the process has said the same thing; they will avoid permitting work at all costs in Berkeley due to the slowness and high cost of the process. In my case the combined effect that planning and building departments had on my project was to double the cost. You need a complete revamp of your culture and process. Best of luck. On the positive side the people I dealt with were friendly and were obviously trying to do their job, but were handcuffed by bad policy / bureaucratic culture.

12. Full compliance with the current process is so time consuming as to pose a significant deterrent to undertaking construction or hiring building professionals.
13. Thank you for your efforts to improve the system. They are urgently needed.
14. Berkeley has the reputation of worst in Bay area. The staff treated us as problem children, and since we were not architects, not worthy of help. The big question is that people do their best to "Cheat" because dealing with the department is such a nightmare. Took us 4+ months to get permit for simple dry rot repair.

Planners/Planning

1. Bring some old planners back who have had experience with the planning code.
2. Planning was very courteous and helpful
3. On another project - a conversion of a study to a Master bath, with nearly no exterior changes, is presently held up in Planning for weeks. I finally got in touch with the Planner and she said she was simply back logged. There should be a way for extremely simple projects like that can bypass other, more complicated projects. The Planning review process should have taken no more than 5 minutes. The Permit Service Center told us the review would happen within 10 days when we originally submitted for plan check, and so far, it has been almost 20.
4. Please don't leave inexperienced planners at the counter without close supervision. The fact that we have to go to the planning counter several times for a single project to confirm with different planners that a finding / interpretation is correct, is costly. We have to account for a much higher arch fees for projects in Berkeley. The current estimated review times for planning and building plan check should be listed clearly and prominently on the website. You need a better system to return phone calls. We avoid calling. We have had calls not returned at all or returned days later. Please develop an email address system that works. Some addresses are outdated and no-one responds.

5. There are people in planning that I really like working with and there are others that are simply impossible to work with. The turnover in the department makes it difficult to develop working relationships with the planners. I have projects in the pipeline now in which I am having to work with an underqualified and timid planner that is not responding on time, and is not helpful in anticipating issues. That is the reason for so many negative scores for Planning.
6. However, I do find the upper level staff, and many of the older planners that I have developed relationships with to be excellent to work with and for the most part very responsive and helpful.
7. My ideas: Reserve senior planners for major and complex projects. Do not promote underqualified people.
8. You should review an application for completeness immediately after receiving it. What is so hard about doing that? e.g., waiting 30 days to find out that we calculated lot coverage wrong, or that you want a shadow study is basically disrespectful.
9. You should review an application for completeness immediately after receiving it. What is so hard about doing that? e.g. waiting 30 days to find out that we calculated lot coverage wrong, or that you want a shadow study is basically disrespectful.
10. Planning Division is inconsistent over the last few years in its approach to discretionary project review steps, application of CEQA requirements, and application of state density bonus law. The staff is woefully untrained with respect to the requirements of the State's Permit Streamlining Act. Staff flip flops on the applicability of various established policy reforms, like parking requirements along transit corridors and state density bonus applicability.
11. Planning approvals take too long- planners change too often.
12. Planning / Permits is slow and impolite at taking and processing fees. This is usually the last set in the process and should quick and painless, like any other service department.
13. Planning needs to relax the administrative review requirements on many types of smaller projects. Oakland has 3 planners staffing their front desk on any given day, and those staff are tasked with approving smaller projects over the counter. A more prescient issue is the level of detail the plan checkers feel is necessary to approve smaller projects. Our architecture office generates many plan sets for small residential remodels and additions in the Bay Area. The number of plan check comments received from Berkeley on any given project far exceed any other city we work with. When did plan check replace inspection? Inspectors

hardly glance at the plans. How can the code be upheld when the inspectors ignore everything that is on the plan, and only look at what is built? There is a serious disconnect here. Why does (or should) the city be responsible to so thoroughly review drawings provided by a professional architect? Shouldn't the impetus to uphold the code fall on the licensed individuals (architects, engineers, and contractors) and not the city? The city's deep interjection into the design and construction process has created an extremely bitter community, made design and construction fees skyrocket, and killed so much development and improvement. Please look to Oakland and San Francisco for ideas on how to simplify and streamline your processes. They are not perfect by any means, but they are doing many things right. Thank you for the opportunity to voice opinions on this matter. I do hope that positive changes come of this.

14. Some of the land use plan check comments we received stated the need to conform with a list of criteria but didn't identify which criteria the project was suspected of not conforming with.

Public Works

1. There was no clear path for approval, documents were lost or were never opened when sent by email after being told to send them. Public works and the department do not talk and there seems to be a bouncing match between the two.

Residential Projects

1. Speaking strictly to residential projects, Berkeley's reputation is that it's difficult. There are more hurdles and more regulations than any other local municipality. The process takes longer than it needs to probably because there are far too many people with input in what should be simple residential projects.

Sign Permit

1. We submitted a sign design for initial review a month prior to applying for our sign permit and no problems were identified with our sign design. We allowed 6 weeks to process the sign permit and it was not reviewed during that time period. I contacted the land use department at that time, and our sign permit had not been reviewed at that time. It took another 2 weeks for us to find out that the land use department did not like the aesthetics of a bracket supporting our projecting sign and they would not let us use the existing signs bracket location we were replacing for our sign. Once we redesigned the mounting bracket to land use departments aesthetic preference and mounting location the sign permit went through as advertised. I expected that an aesthetic opinion for the mounting bracket look and location should have been identified in the pre-review or earlier in the land use sign review process, not after 6 weeks of processing time. This

delay required us to modify a built sign for aesthetic preferences of an individual in the land use department and we did not have the sign up for our customer's grand opening. Thanks.

Signs for Posting

1. I recently had an experience with the Oakland Planning Dept. I'd like to share, because it might be useful to adopt their policy around the yellow signs. Oakland provided me with a sign and frame that could be re-used, and stated clearly that the sign only had to be up for the 10-day posting period, after which I should bring the sign back. Making those signs each time is a pain for the architect, and a waste of resources. Thanks.

Solar

1. The timelines at this jurisdiction are ridiculous. There is extreme confusion between your online features and your personnel at the actual planning department, and there is a serious misinterpretation of some of the electrical codes when it comes to solar. I would suggest you get a reputable person like Bill Brookes in to help you interpret the NEC better as well as solar guidelines. You are also in violation of the new solar law that passed. I suggest you look into AB-2188 Solar Energy Permits. This was approved back in September of 2014. Here's [the link](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140A).
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140A
 B2188 I will be avoiding doing any other installations in your jurisdiction until serious changes are made.
2. Staff are friendly enough but only follow the letter of the law, and not the spirit of the law. I arrived the day when USB plan submissions were first required, and I had paper sets. I was refused at the counter, but someone could easily have made an allowance. I've had plan revisions take two weeks when all I've done is reduce one solar panel from my overall system size (I'm a solar contractor). Scheduled and booked appointments are never kept - if the staff is always short, appointments shouldn't even be offered because it sets a broken promise. I appreciate running a building department can be very difficult, and I've learned how to navigate your system to get what I need, but I always tell homeowners that their project may take weeks longer than a typical project because of Berkeley bureaucracy. BIGGEST SUGGESTION: draft voting proposition to present directly to city voters to increase budget of building department to exclusively be used to hire more staff (plan checkers and inspectors). Thanks for reaching out!

Staffing

1. Hire some people. Our Use Permit application took 18 months, we went thru three planners and were given several dates for ZAB that weren't honored.
2. Hire more staff to review and shorten the response time at the Permit Service Center to shorten the wait time. Sometimes, it takes more than two hours of waiting time to submit plans. Appointments are a good solution but not always practical. Same with the Planning Department, too many projects and possibly not enough staff. Some projects must consume huge amounts of time, thus allowing the smaller projects be put on the back burner. 3. Help keep newly hired personnel stay with the City longer. Thank you to all for trying to find ways to improve. Most appreciated.
3. I think you need to hire more staff to move the projects through faster. We submitted a plan for a bathroom remodel and it is still stuck in planning and it weeks overdue. Crazy!!! We are very frustrated. Oakland does a great job. You should find out how they do it.
4. Because you are paid a salary to make sure rules are followed to the n'th degree, and charge the most amount of money, while the system is set up for YOUR best interests, NOT ours, (example, lunch hour availability at the counter... but one example), the applicants can see right through this system. We are, in a form/way, being victimized, and so, we, who have been put through this, as owner builders, not licensed contractors, avoid the permit office, whenever possible. It is a most difficult and financially painful, as humanly possible.
5. Yet, all of the people I have encountered are effective at their job, cordial and polite. Never talk of money. NEVER. Ellie is the best, most knowledgeable person ever. The best. There needs to be wall examples of architectural drawing examples. David Lopez is, both tough and nice.
6. In general, personal should be more friendly. Permits center personal and some inspectors should be more helpful like most other cities.
7. Planning and Development staff are very professional and courteous.
8. In general, personal should be more friendly. Permits center personal and some inspectors should be more helpful like most.
9. In closing I have two comments - 1) I have developed constructive relationships with staff in all departments and do believe that there are many people in the organization that want to do good work and that are helpful, thoughtful, and pleasant to work with. My frustrations stem from the city's collective inability to handle the overwhelming crush of project applications received in the last 1.5 years. The system is broken and needs to be fixed.

10. The staff at the City of Berkeley are dismissive and do not employ courteous customer service tactics. They are often rude and unwilling to assist! I have often found myself waiting at the Permit Center for over an hour or two just to go through the whole process. Even when making an appointment for review of plans, these were rarely upheld and I was still told to "take a number". In comparison to other jurisdictions in the area, (City of Oakland, Contra Costa County, Walnut Creek, Martinez, Concord), the City of Berkeley planning and building staff make it very difficult to submit and have plans approved for solar permitting in a fast efficient way. I hope this feedback is considered with care, and significant overhaul in process and staff occurs. Thank you.
11. There is a sense of collusion between the employees and their supervisors where a customer (who is actually paying part of their salaries from our taxes and fees) will not get anywhere by complaining except may be getting negative repercussions. They count on the fact that no customer wants to be the guinea pig and speak up, which is why we are glad that you are asking for opinions and hope that you are for real in taking actions to improve services (although we doubt it in a public office).
12. Access to inspectors, plan checkers and Planners could be easier.
13. Staff should be friendly and courteous to those who come in and are not familiar with the process.
14. Staff up! Great to stay on track with response time and application processing periods. Sally will be missed. Carol, Greg, et al are very professional and courteous.
15. Hire more staff and train them.

Technology

1. Accela system does not work you cannot get your plan review comments online, and it is very difficult to get a person to answer the phone when you need your comments. This delays the permit process. In the permit center I think your workers are hardworking and very customer friendly. I am a permit expediter and I submit for permits all over the bay area. Your downfall is timing. Too long for plan check and no access to plan checkers or personnel to help with your questions unless you come into the building center. Also, your computer system is not as good as many of the other cities. ACCELA is used in Alameda and Berkeley, and I run into the same problems trying to get updates on the progress of my permit applications. You should check the City of San Jose. Their system keeps you updated for every department.

2. The new on line permit system is extremely confusing. When I try to review the processing status of a permit application, especially after I have resubmitted with plan check responses, it is very unclear if anyone is looking at it. There is simply a due date and then "assigned TBD" with the promised response date and the original submittal date. There should be a single person listed who I can call to check on why things are overdue. For my last permit submittal, my plan check comments were overdue by 4 days. There was no way for me to tell why it was held up, as it had cleared Zoning and Building. Finally, I called and explained my situation to a person who answered the phone. They said it was still under review by Public Works. This was not visible in the online system. More days went by (a whole week) without any change. I couldn't reach anyone by phone at the Permit Service Center. I left several messages and nobody called me back. I didn't know who to contact. Finally, I emailed Diana Aikenhead and she said that she was unaware that there was a project in the cue, and by the next day the project was completed and comments were sent to us (Diana is amazingly responsive and productive!) It appears that things are getting left in the cue and there is no prompting mechanism to ensure that people are keeping up to date on the workload.
3. The digital submittal process is a mess. Instead of uploading PDFs, we have to hand-carry them in. The process is unclear and the people and the intake center terribly rude and unhelpful, refusing to explain the actual new process at all. The 'official' process according to them doesn't actually match your online guides either, causing further confusions. You should decide on an actual process, document that process, and then stick to it so that people can navigate it successfully, as well as train the staff at the desk to be far more helpful and not, well, just shitty people who have decided it's the public's problem that they don't just 'magically know' the new way of doing things.
4. Also plugging in any random thumb drive someone brings in to a worker's standard, in your system, on your network computers a computer security nightmare waiting to happen. A single virus-compromised thumb drive, or worse a bad agent, could easily cause at best thousands of dollars' worth of damage and at worse gain access to your systems in a terrifying way, installing rootkits and creating total havoc. You should be ashamed.
5. My main concern is the new digital submittal and online access to approved documents. My APPROVED set of digital drawings was lost and recovery took two weeks, delaying start of project.
6. The training period for the online system was very inconvenient. Often plan check due date is ignored and delayed. The online system is under used, no explanations, or missing information. The projects that were caught in the transition suffered.

Termite Repair Work

1. For getting a permit across the counter for termite repair work it should not take 4 - 6 hours. Simple repairs of existing material should not require plans. Field inspectors are there to check the work to make sure codes are met and the right material is used, however we are required to submit drawn plans for replacement of existing material.

Timelines

1. Deadlines are usually missed and no follow up given.
2. Meeting the promised dates of review would help us plan for start dates or revisions. Delays and enormous frustration.
3. Delays and enormous frustration.
4. Provide consistent review timelines and updates on timelines before the anticipated completion date has come and gone.
5. There is no sense of urgency and no empathy with the customer's deadlines. They delayed a simple application to add a door for 3 weeks, initially because they had training and vacations, then because they thought that a correction was sent (when it wasn't), then the correction came for a very simple and basic information (like not writing "property line" when it clearly shows it with setbacks footage) that should have been identified upfront when plans were submitted and a printed copy was discussed at the counter!
6. Turnaround time needs to be addressed. I understand the under-staffing, but staff has also been hired, as I understand.

Use Permits

1. My building permits have all been approved. I have several open planning use permits that are all being delayed by poor communication, a general lack of anticipating difficulties, and difficulties in meeting response times.

Website

1. Website does not work. Uploaded final plans could not be printed. Had to get file downloaded onto flash drive in person.
2. The website is very vague about the process and getting our plans looked at took way too long -- months in-fact. We were constantly told that we are "in the queue" for several multi-week waiting periods. We were told that the permits office was backed up and understaffed. The staff that was there was reportedly

working weekends to catch up on backlogged permit requests. Ultimately -- our home remodel was delayed for two+ unexpected months which cost us thousands in temporary family housing while our designs sat in queues. This is unreasonable given the non-trivial cost of permitting in Berkeley.

3. When I went to check on my permit status, I found the website to be hard to navigate. I clicked on the blue highlighted permit number which took me to the permit but the arrows for the drop-down menu were the same size as the font and did not look like something I should click on for a drop-down menu. It took many attempts to finally find the status link. Instead of the drop-down arrows maybe the links as names could be on the same line as the Record Info drop down arrow or make the word Record Info the link.
4. I am a Berkeley architect with long experience in Berkeley and other Bay Area Building Departments. My project comprised an ADU soon after the regulations were changed and entailed my first use of the Online Service Center.
5. The ADU regulations were more cumbersome to interpret and apply than what I'm used to even in Berkeley.
6. The Online Permit Center requires more menus and clicks than should be necessary to access new/relevant information. Ideally the system would be capable of generating alerts when new information is available on an application. Instead I have had to monitor it daily

Windows

1. In my opinion, Berkeley is the most difficult city in the area to acquire permits. The requirements to replace retrofit windows is excessive, and not really clear ahead of time. The online requirements are out dated. The process is too long and time consuming to obtain a simple permit for replacement windows. Too many of you staff seem to have a bad attitude, ignore and resent helping customers. I dread going in to the Berkeley Permit Center. I end up being there for hours and then still have to come back a second time. I recommend holding your staff accountable to be customer friendly. Please simplify the permit process for replacement retrofit windows when the framing is not opened up. Thank you for listening!
2. Team review of thorny issues. We originally asked to relocate windows, which were ultimately not feasible because of the setback issues we have and 1hr fire issues it invoked. We asked about infilling the windows, and were originally told that also wasn't acceptable. As a result, we spent countless hours, dollars and stress to completely redo plans only to later be told that infill was in fact approvable. All of this has resulted in months of delay in starting our desired

work. As a homeowner trying to bootstrap and do the work ourselves, this is a tremendously frustrating process

Zoning

1. Zoning response time is very poor recently. Sometimes with no response for weeks or longer to repeated emails and phone calls.
2. An example of something that can be much approved: I am currently waiting for zoning to approve a revision to a permit where their only input is on the front door and the back door both which is just simple doors and nothing different. This application could easily have been approved over the counter but the zoning person didn't want to look at it while I was there (not sure what the reason was) I was supposed to get a 24-hour turnaround. Now it is a week later with no word. This is a perfect example of a very unnecessary process. Maybe rate zoning's involvement during the intake process so they know which permits won't need much time but for me to be holding up work for more than a week because zoning is not able to spend 5 minutes on my application while I was there is ridiculous.

ZAB

1. Simple expedited review process for minor issues - rather than lengthy AUP, ADU decisions which can then be challenged and over several months reversed by ZAB because of connected illegal procedures and contacts with unaccountable ZAB members. Who wants to dump even more money, time and effort to try and correct the wrongs of this system? Property owners in Berkeley should be advised by that if their project goes to ZAB - they should engage legal representation and have full representation as it is not the city's responsibility to defend its advice or decisions. We were unprepared for a legal assault by our neighbors which resulted in significant loss of our property use and led to many tens of thousands of dollars loss. We would hope there is a way to make a simple transparent process that does not enable connected neighbors to bully and distort the process.

Zoning Certificate.

1. I will be interested to see where this goes. A ZC should be granted ASAP.
2. Revisions to the ZO that expand on the "by-right" concept is sorely needed. The pre-application round-table and ZAB Previews are important and need more support for the staff.

Zucker Rec #	Recommendation	Division	Effort	MONTH														
					0	July '17	Aug '17	Sept '17	Oct '17	Nov '17	Dec '17	Jan '18	Feb '18	Mar '18	Apr '18	May '18	Jun '18	Jul-Dec '18
	Job Descriptions and Roles																	
2	Directory of roles (including Org Chart)	Mgmt	C															
39	PSC Coordinator focus on Management	BSD	E	DONE														
80	Designate Zoning Administrator	Mgmt	E	DONE														
83	2 Principal Planners focus on Management	LUP	C															
94	Detailed staff analysis to assess resources	Mgmt	C															
	Performance Standards																	
12, 13	Set performance standards for all positions; use in frequent check-ins	All	D															
29	Provide accurate plan check time estimates; post for all clients	BSD	A															
43	Establish PSC-wide performance standards	BSD	C															
44	Use Nemo-Q (or alternate) to reliably measure customer time spent	BSD	A															
93	Set performance standards for all LUP reviews	LUP	D	DONE														
	Practices																	
10	Provide feedback to staff on customer survey results	All	E															
26	Return all phone calls and emails within 24/48 hours	All	B															
49	Work to reduce plan check backlog, then set reliable baselines	BSD	B															
50	Assign minor plan reviews to PSC Plans Examiner	BSD	D	DONE														
95	Complete routine 30-day reviews earlier	LUP	C															
103	Reduce AUP process timelines significantly; meet new goals 90% of the time	LUP	A															
110	Reduce sign/awning reviews by 10 working days	LUP	C															
111	Reduce staff design reviews by 15 working days (currently 30-90 days)		C															
	Submittals																	
65a	Update minimum submittal checklist--BSD	BSD	C															
65b	Update minimum submittal checklist--LUP	LUP	C	BEGUN														
66	Accept only complete applications--BSD	BSD	C															
85	Accept only complete applications--LUP	LUP	D															
	Written Documents																	
3a	Revise/update all PSC handouts (and make more available)	BSD	A	BEGUN														
3b	Revise/update all LUP handouts (and make more available)	LUP	A															
46	Improve training on Building Code interpretations to ensure consistency	BSD	B															
84, 90	Create Land Use manual of policies, procedures, interpretations	LUP	A															
	Zoning Ordinance revisions																	
78	Work with consultant to simplify Zoning Ordinance	LUP	A	BEGUN														
100	Clarify criteria for granting AUPS	LUP	B	BEGUN														
	Other																	
1	Agree with City Manager on Customer Service implementation plan	Mgmt	C															
77	Create Annual LUP Workplan	LUP	A															
126	Formalize Accela user training program	All	A															
138	Use Accela by LUP/Projects staff; eliminate duplicative spreadsheets	LUP	A															

Level of Effort Code:

A	High: Staff time intensive AND lengthy implementation time frame
B	
C	Moderate: Either staff time intensive, OR lengthy implementation time frame
D	
E	Low: Shorter, more simple tasks

