

July 16, 2003

Honorable Clifford R. Anderson, III  
Presiding Judge, Santa Barbara County Superior Court  
P.O. Box 21107  
Santa Barbara, CA 93121-1107

RE: Response to the 2002-2003 Grand Jury Report, "Caught in the Web"

Dear Judge Anderson:

The Grand Jury requested Planning and Development respond to the Findings and Recommendations of the above-referenced report. The department's formal response follows:

**Grand Jury Finding 1: The permitting process is cumbersome, confusing and, in many cases, frustrating.**

**Response to Finding 1:**

Agree

**Grand Jury Recommendation 1: It is imperative that the Board of Supervisors address the need to clarify and update land use policies, cleanup zoning ordinances and implement a regular schedule for review or revision.**

**Response to Recommendation 1:**

This recommendation has been implemented. The Board of Supervisors has given the Director direction to clarify and update land use policies, cleanup zoning ordinances and implement a regular schedule for review or revision. The department regularly updates the County's Comprehensive Plan. The Board of Supervisors reviews and approves the Comprehensive Planning Five Year Work Program annually before the budget development and adoption process is complete. The department's submitted budget funds projects identified in the Five Year Work Program. The department also has a position dedicated to updating the zoning ordinances. Two ordinance update packages are programmed to be completed each fiscal year. As is noted in the body of the Grand Jury report, the department is engaged in a Process Improvement Project which addresses needed improvements to the ordinances and policies. Attached is a copy of the Board Agenda Report for the Board of Supervisors review of this project at their July 22, 2003 hearing. The department will return to the Board of Supervisors in the fall with a full implementation schedule of all measures, including extensive work on updating the zoning ordinance and clarifications of policy.

**Grand Jury Recommendation 1a: The Board of Supervisors must empower the new Director of the Department to take the appropriate measures deemed necessary.**

**Response to Recommendation 1a:**

This recommendation has been implemented. The Board of Supervisors has empowered the new Director to make improvements in the department operations.

**Grand Jury Recommendation 1b: The newly appointed Director and key staff support professionals need to focus attention on the improvement of operational flows and systems, the tracking of such systems and process improvement. Appropriately layered daily, weekly and quarterly progress reviews need to be adopted.**

**Response to Recommendation 1b:**

This recommendation has been implemented. As is noted in the Grand Jury report, the Department is undertaking a Process Improvement Project for the ministerial permit process. The implementation plan is under preparation and will include appropriately timed progress reviews and reporting both inside and outside of the department.

**Grand Jury Finding 2: In many of the more experienced and highly trained planners have left the Department, resulting in a preponderance of lower-level planners with limited experience.**

**Response to Finding 2:**

Agree. Turnover of planners in 2001-02 was 18.6% and 22.2% in 2002-03.

**Grand Jury Recommendation 2: Explore the possibility of utilizing retired experienced planners as consultants to work on specific projects.**

**Response to Recommendation 2:**

This recommendation has been implemented. The department has contracted with retired planners to work on specific development projects for many years, and will continue to contract with retired planners to smooth out peaks in project review and to fill gaps when vacancies cannot be quickly filled.

**Grand Jury Finding 3: Land-use issues often create adversarial relationships between the Department personnel and applicants and between applicants and appellants.**

**Response to Finding 3:**

Agree.

**Grand Jury Recommendation 3:** The County Council has staff that will provide mediation service which would be able to assist in disputes if an appeal is upheld by the Planning Commission, prior to the appeal being presented to the Board of Supervisors. This service should be offered to applicants and appellants prior to a Planning Commission meeting, thereby saving the Department staff and Planning Commissioners many hours of work, which would also expedite the planning procedure.

**Response to Recommendation 3:**

This recommendation requires further analysis. While the department believes this would be a productive approach, the cost for a facilitation process prior to Planning Commission reviews of appeals requires study and consideration by County Counsel and the Board of Supervisors, especially due to the significant staffing challenges resulting from the state budget. The cost analysis will be completed within six months.

**Grand Jury Finding 4:** Due to an increasing number and complexity of community plans within the County, planners can overlook specific requirements of a given community.

**Response to Finding 4:**

Agree.

**Grand Jury Recommendation 4:** Planners should carefully review plans to determine if permit applications are in compliance with community plans.

**Response to Recommendation 4:**

The recommendation has been implemented. Planners receive training in a number of areas, including the application of community plan policies. Additionally, under the Process Improvement Project, clarification and simplification of community plan policies will occur.

**Grand Jury Finding 5:** Applicants are often given inadequate or inconsistent information regarding the planning and appeal processes.

**Response to Finding 5:**

Partially Disagree. Although information is sometimes inadequate or inconsistent, that does not occur often.

**Grand Jury Recommendation 5a:** Applicants should be provided written as well as verbal information regarding the permit process. All brochures and other information given to the public should be reviewed for clarity and periodically updated. Complete information should be provided on the Internet regarding planning processes, discretionary and ministerial permits, including fee structures and timelines.

**Response to Recommendation 5a:**

The recommendation will be implemented as part of the Process Improvement Project. Several parts of the recommendation are currently underway, including updating brochures and other public information, and updating the department's website to include information on the process, including fees.

**Grand Jury Recommendation 5b: In an appeal process, the applicant should be provided a copy of the written complaint together with, or immediately following, the initial appeal notice.**

**Response to Recommendation 5b:**

The recommendation will be implemented. A procedure will immediately be developed to ensure that applicants receive copies of any appeal filed on their project upon receipt by the department.

Thank you for the opportunity to respond to the 2002-2003 "Caught in the Web" Grand Jury report.

Sincerely,

Valentin Alexeeff  
Director