



Shasta County
Resource Management Department
May 30, 2018 BOS Workshop

Prepared by Mary B. Machado, Executive Director, Shasta VOICES

To: Shasta County Supervisors David Kehoe, Mary Rickert, Les Baugh, Leonard Moty, and Steve Morgan.

On May 30, 2018 from 5:00-7:00 pm, the Shasta County Board of Supervisors will conduct a **workshop** to discuss timely service, reasonable standards, equitable treatment, clearly defined process, clearly defined appeal process, customer evaluation and more with regard to the County’s Resource Management Department services.

Public speakers will be given the standard 3 minutes to bring their concerns forward at the podium. Unfortunately, 3 minutes will not begin to cover the amount of time I would need to bring some positive potential solutions forward for consideration, so I am sending this summary to each of the Supervisors in advance of the public workshop. I will only have time to summarize at the actual meeting without presenting the “how” that my organization, Shasta VOICES, is suggesting for improvement. Here is the complete “testimony” for your reading pleasure and serious consideration.

On August 9, 2017, Shasta VOICES, together with the Shasta Builders Exchange, sponsored and hosted our third successful “Developing Our Economy Forum” entitled “Shasta County – Making the Process Easier.”

This forum provided the opportunity for Shasta County officials to receive input and tackle opportunities for improvements to make the permitting and building process easier in unincorporated Shasta County. The participating officials included Larry Lees, Rick Simon, Kim Hunter, Dale Fletcher, Pat Minturn, Tom Schreiber, and Supervisors David Kehoe and Steve Morgan.

Here are some of the potential solutions to making the permitting and building process easier that the officials seemed to agree with (except for fee reviews), but which have not been implemented:

- **Make it easier** for the general public and building community **to find information** relating to the permit and building process:
 - 1) **Create links** on the County’s home page (of their website) to the County’s Municipal and Zoning Codes;

- 2) **Clarify services** that fall under the Resource Management Department on the home page, as this department title is meaningless to the average person. Or, change the name of the department to make it easier to identify exactly where and who at the County would be the proper source to obtain permitting information. As an example, *even Supervisor Les Baugh*, when noticing the general public through social media about the County’s public workshop on this subject to be held on May 30, 2018, called it a **“Planning Department” workshop**. This just adds to the typical confusion of the general public;
- 3) Keep building and development impact fees **updated with correct information** that does not conflict with the Department of Public Works (as it does today). There is no consistency, or accuracy, in the information that is available online in regard to these fees. Even the effective dates listed are not current, not the least of which is because the information is also not current.
- **Update and change unpermitted structure policies:**
 - 1) Many structures located in unincorporated Shasta County are old, much older than the current codes and permit rules. ***It is beyond the means and logic of property owners to bring structures built over 40 years (or more) ago up to “code” in order to simply maintain and make needed repairs.*** Thus, these structures fall into disrepair and become eyesores. Policies need to be changed to ***make it easier and attractive to make such repairs;***
 - 2) **Eliminate/change** the current policy of performing an ***aerial imagery search*** of the entire property when an applicant comes in for a permit for one particular improvement. ***Limit the search to only that structure to be changed/improved;***
 - 3) The current ***unpermitted structure policies*** are these:
 - a) If someone bought property with unpermitted stuff, they can “find out” when it was constructed and what the rules were at the time of the permits. If it met the rules at that time, the County will accept it. The County will not require something built in the 80’s to come up to current code, but can require it to come up to the 1997 code.
 - b) However, if the unpermitted structure is ***living space***, the matter must be addressed ***before or at the same time as a new permit is being approved.***
 - c) If an unpermitted structure is an ***outbuilding***, like a shed or garage, the matter must be addressed ***before the final inspection and certificate of occupancy for the new permit being approved.***
 - d) In cases of non-permitted living spaces, the County “usually” accepts a “Letter of Intent” from the owner acknowledging the unpermitted structure and establishing a reasonable timeline to address it.
 - e) To verify the unpermitted structure meets the minimum life-safety standards, the County conducts inspections using the “least-invasive/least destructive techniques,” and will also accept a written report from an engineer.

The problem with these policies is that the County’s records for the structures in question are so poor, or non-existent, that an applicant is unable to “prove” when things were constructed, or if permits were even required at that time (particularly for such things as barns, stables, chicken coops).

Additionally, if they are unable to prove such information, they are *not allowed to proceed with any desired changes, improvements, repairs etc. to the rest of the property*. This policy is flawed and needs to be carefully re-crafted.

An obvious initial improvement would be to separate “repairs” to any structure on the property *from* “new construction” on the property, and create separate policies for each, taking particular care to not use those structures needing repair as a means of preventing any new construction. Involve the building industry and some citizens at large in crafting these policies, together with the appropriate County officials, so that they become workable for everybody.

- ***Solar Installation “Research Agreement”*** was intended to make the process of solar installation easier for both the solar industry and property owners, however, the way the agreement is written now makes the property owner fear *that making such an improvement may trigger unwanted and unknown code compliance issues*. Here is the clause causing concern: “...except for the structure or ground area on which the system will be installed, the issuance of the building permit for the system, and any site visit(s) and inspection(s) performed in relation to the system do not constitute an acknowledgement or approval by the County of any existing or future structure use or condition on the parcel that may not be compliant with the Shasta County code, or forfeiture of the Department’s obligation and authority under law to require code compliance for any such non-compliant structure, use or other condition that may exist now or in the future on the parcel.”

This agreement could certainly be improved *to mimic the intent of the State of California*, which is that every city and county in the state is required to adopt a *simplified* procedure for residential *solar panel systems*. Why cloud the issue with the County’s “authority under law to require code compliance for *any* condition that may exist now or in the future on the parcel?” The agreement ought to *stick to its intended purpose*, which relates to the installation of *solar panels only*, either on the rooftop of a structure or ground mount.

- ***The Development Impact Fee Program*** has not been revisited since its inception in July, 2008. The fees just continue to increase each year under the inflationary increase clause, regardless of whether or not they are still accurate and compliant with calculations under the MFA.

Additionally, there is *not a source* on the County’s website that has *correct current impact fee information* on it. Both the Resource Management and Public Works Department website information needs to 1) be brought up to the current figures and 2) have the same matching numbers and other impact fee information. Neither is doing that today, and Rick Simon has indicated it’s not his responsibility (and doesn’t care to make such changes). He defers to the Public

Works Department. Supervisors need to step in and *insist* that these published fees remain current and up-to-date if the general public is being directed to those sites for the information, in *every location where the fees are published on the County website*.

- **Excessive Permit and Zoning Fees-** The County Supervisors ought to conduct a long-overdue *review* of all permit and zoning fees, and involve private building and planning industries and some citizens at large in such a review, so that the fees can be fair and equitable for everybody.

There are some unusually high fees, listed below as a *small sampling* (and maybe not even the most current charges):

- 1) **Use Permit Fee** – Major \$5,064; Minor \$4,784; Modification fee \$677.27
- 2) **Use, Zoning, Administrative, or Variance Permit Appeal** - \$559.72
- 3) **Land Divisions** – 4 or fewer parcels \$10,851; 5 or more parcels \$20,616 (using 20 lot example)
- 4) **Property Line Adjustment** - \$2,525
- 5) **Certificate of Compliance** - \$2,057
- 6) **Rezoning** – Major \$9,985 plus hourly fee; Minor \$9,985 plus hourly fee

Why is the cost for what are considered *major changes the same as for minor changes*? At what point should some common sense be applied to those with relatively minor “adjustments” who are being charged the same fee as those with significant changes using significantly more staff resources? *Not only do a number of the fees warrant adjustment, but how those fees are applied needs to be updated and include some flexibility.*

- **Customer Service at the Permit Counter** – One of the biggest complaints coming from those who are seeking assistance in all phases of the permit process is a lack of continuity...they are talking with a different person each time they come back having done what someone else told them to do, and the new person gives them different information. They retreat, go back and follow the new instructions, return to the counter only to be told something different again. This goes on and on for months on end for most of these customers. *Only when they are able to sit down with the Department Head or Building Official in person are they given all of the pertinent information needed to complete their task and move forward.* This needs to change.

The Supervisors are the authoritative body who set policy...and can implement new policy, and change policies that are not working.

For some reason, those at the permit counter don't seem to be able to communicate what, exactly, needs to be done in order for a customer to successfully navigate the permit process. *Options to change the way the permit process is communicated to those seeking permits include:*

- 1) **Create an ombudsman** as the contact person for all things permit process related, or one ombudsman for commercial projects and one for residential, or one ombudsman for commercial, one for residential, and one for “other repairs and solar mounts.” That way, the customer only has one person handling his/her file who can communicate with the proper staff person to make sure all pieces of the puzzle are properly communicated and documented for the applicant.
- 2) If the County doesn’t have the resources to provide their own ombudsman services, then **partner** with those that do, and let them guide customers through the process. It may even be advantageous to have someone who is not a County employee lead such an effort – perhaps a competitive bid process could occur for an outside individual or consultant, who would be given access to the County information needed in order to properly guide people through the permit process.
- 3) **Measure customer service** provided by your Resource Management Department (with all building and permit related departments under this umbrella), as is done currently at the City of Redding, each time the customer service is provided. Include this information during annual employee performance reviews. Somehow reward those that do good work. Provide further **training** to those who seem to need assistance in providing proper customer service. Management should continually **monitor the results** to close any gaps in the proper delivery of proper customer service, and document/report those results to the Supervisors on a monthly basis. This is the most successfully proven way to **change the culture** in these departments.

Please do not hesitate to contact me if you have any questions, or would like further clarification or information. Thank you, again, for your consideration.

Respectfully Submitted,

Mary B. Machado
Executive Director
Shasta VOICES
(530) 222-5251
mary@shastavoices.com