



Staff Report

TO: City Council
FROM: Carole Kendrick, Interim Community Development Director
DATE: November 19, 2024
SUBJECT: Planning Project and Building Permit Tracking

Description Analysis of project and permit tracking with suggestions to reduce processing times and establish measurable results.

Background and Analysis:

On October 1st at the City Council meeting, Councilmember White inquired regarding tracking of planning projects and building permits.

Mandates

The Permit Streamlining Act (Govt Code § 65921) applies only to “development projects” as defined in Govt Code § 65928 “development project” defined as: Any project undertaken for the purpose of development, including a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. Does not include any ministerial projects proposed to be carried out or approved by public agencies.

Does not apply to legislative land use decisions, such as amendments to the zoning ordinance or general plan, the approval or disapproval of final subdivision maps (Govt Code § 65927), permits for ministerial projects (Govt Code § 65928), projects which do not involve the exercise of governmental discretion, administrative appeals (Govt Code § 65922).

The clock starts when applicant submits a completed permit application. The agency has 30 days to inform applicant whether the application is complete (Govt Code § 65943). If Agency fails to inform the applicant within that 30-day period, the application is “deemed complete” IF the application included the statement that it is an application for a development project *even if the application is deficient* (Govt Code § 65943).

A new 30-day period begins with each re-submission of an application (Govt Code § 65943). Agencies are prohibited from requiring that applicants waive, or agree to

extend, these time limits (Govt Code § 65940.5). Agencies are required to make lists available to the public that specify in detail the information required for each application (Govt Code § 65940), lists may be revised but such revisions generally apply prospectively only and not to pending applications (Govt Code § 65942). Agencies are prohibited from requiring applicants to submit at the initial application stage all information required by the agency to take final action on the project (Govt Code § 65944)

California Environmental Quality Act (CEQA)

An agency must complete its initial environmental study 30 days after a private project application is accepted as complete or deemed complete and determines whether to require the preparation of an Environmental Impact Report (EIR) or Negative Declaration.

Failure to make this determination within 30 days does not nullify the agency's determination to require further environmental review, as CEQA's time limits are directory, not mandatory. There's no sanction for agency's failure to comply and the 30-day time limit for completing the initial environmental study may be extended by 15 days if the applicant consents.

Negative Declaration

- Must be adopted 180 days after the application is accepted as complete
- 60 days after adoption of the Negative Declaration (or project is determined exempt from CEQA), agency must approve, disapprove or conditionally approve the project
- *An unreasonable delay by the applicant in meeting requests necessary for the preparation of the Negative Declaration may serve to delay the approval period, or even result in project disapproval (CEQA Guidelines § 15109)*

Subdivision Map Act

A tentative map may not be deemed approved under the Permit Streamlining Act under any circumstances unless the map satisfies all applicable subdivision regulations (Govt Code § 66452.4). A tentative map may not be deemed approved under the Permit Streamlining Act unless due process requirements, such as notice and a hearing, are satisfied (Horn v Ventura County).

Case Studies

Staff has compiled a sample set of planning case studies from various application processes to demonstrate how similar projects were handled in the past, showing the feasibility and potential success of a proposed development. This may also help address any concerns by providing clear examples of how a project aligns with planning policies and regulations.

Summit Station (Legislative) included nine (9) applications that were submitted on August 20, 2021. The entire entitlement process was completed in 14 months, with applicant resubmittals occurring from one (1) to three (3) months. A timeline of the project's history is provided below:

- 8.20.21 Application Paid
- 9.16.21 DRC
- 10.21.21 Scoping Meeting
- 12.28.21 Resubmittal
- 1.13.22 DRC
- 2.11.22 Resubmittal
- 2.24.22 DRC
- 4.14.22 Resubmittal
- 4.21.22 DRC
- 6.06.22 Resubmittal
- 6.28.22 Planning Commission
- 7.19.22 City Council (cancelled)
- 10.18.22 City Council

Beaumont Village (Quasi-Judicial) included six (6) applications that were submitted on July 30, 2019. The entire entitlement process took approximately five (5) years with applicant submittals occurring between two (2) to nine (9) months at an overall average of over 6.6 months between resubmittals.

- 7.30.19 Submittal & Paid
- 8.06.19 Transmittal
- 9.19.19 Incomplete Letter
- 4.27.20 Resubmittal
- 5.07.20 DRC
- 3.01.21 Resubmittal
- 3.25.21 DRC
- 11.27.21 Resubmittal
- 6.03.22 Resubmittal
- 6.30.22 DRC
- 8.17.22 Resubmittal
- 9.08.22 DRC
- 2.13.23 Resubmittal
- 3.02.23 DRC
- 10.09.23 Resubmittal
- 1.05.24 Resubmittal
- 1.25.24 DRC
- 3.26.24 Resubmittal
- 5.08.24 Planning Commission
- 5.21.24 City Council (continued)
- 6.12.24 Planning Commission
- 7.16.24 City Council

Administrative Plot Plan/Certificate of Occupancy Case Studies

Spiritualist Boutique Administrative Plot Plan and Certificate of Occupancy (CofO) had a total processing time of five (5) months. Significant delays were the result of not receiving the signed conditions of approval in a timely manner.

- 7.8.24 Applied and Invoice sent
- 7.15.24 Invoice Paid
- 7.25.24 DRC
- 8.1.24 Conditions of Approval Sent
- 9.1.24 Conditions of Approval Sent
- 9.5.24 Conditions of Approval Sent
- 10.11.24 Conditions of Approval Sent
- 10.15.24 Conditions of Approval Sent
- 10.23.24 Received Signed COA
- 10.23.24 CofO Entered and Routed
- 10.25.24 and 10.28.24 Review Completed
- 10.29.24 Invoice sent
- 11.8.24 Fees Paid
- 11.13.24 Inspection Complete

Nata Construction Administrative Plot Plan and Certificate of Occupancy (CofO) had a total processing time of seven (7) weeks.

- 7.1.24 Applied and Invoice sent
- 7.1.24 Invoice Paid
- 7.11.24 DRC
- 7.18.24 Conditions of Approval Sent
- 7.18.24 Received Signed COA
- 7.19.24 CofO Entered and Routed
- 7.24.24 Review Completed
- 7.24.24 Invoice sent
- 7.24.24 Fees Paid
- 8.16.24, 8.20.24, 8.21.24 Inspection Complete

A flowchart is provided as Attachment A that details the building permit process. Attachment B shows the workflow for the Administrative Plot Plan and CofO process.

Staff Recommendations to Further Enhance Customer Experience

Business Concierge Services

Having a dedicated business concierge service can lead to a more favorable business environment, attracting and retaining businesses, creating jobs, and ultimately improving the economic vitality of the community. The assigned business concierge will ultimately help to simplify complex processes, provides valuable resources, and foster collaboration—all of which contribute to a more robust and sustainable local economy. With the Economic Development Manager position vacant, the business concierge service is currently assigned to the Management Analyst position until such time as the Manager position is filled and can be reassigned to the Manager. Additionally, on

tonight's agenda is staff's recommendation to create an Economic Development Director position, which will solidify the full implementation of City Council's vision for this program.

Public Development Review Committee (DRC)

In October, staff implemented applicant invitations to the DRC. In just a short time, the changes have been well received by the development community as the applicant now has access to all relevant departments to discuss project concerns and solutions.

How to Videos

The Building Department has created the first of a series of "how to" videos for the public and development community in English and Spanish. How to schedule an inspection is available on YouTube and is linked through the City's website at <https://www.beaumontca.gov/1342/How-to-Videos>.

The Building Department is working on additional "how to" videos that include creating an account, submitting online and converting handouts to videos.

"How to" videos will also be created for opening new businesses, planning application processes, and other frequently asked questions about the overall development process.

Revision to the Administrative Plot Plan Process

As staff is working with our consultant on the Zoning Code update, it was identified that the City may want to consider merging the Administrative Plot Plan and the Minor Plot Plan. Both applications are approved administratively, unless a Minor Plot Plan is conditioned for Planning Commission and/or City Council review.

The Beaumont Municipal Code Section 17.02.070.B.1 states that an administrative plot plan application, not requiring a public hearing, shall be required for the following:

- a. Occupancy or assumption of a structure where building occupancy classification will change from the previously established or permitted use. Occupancy or assumption of an existing use or business which conforms to this Zoning Ordinance and does not change building occupancy classification does not require an Administrative Plot Plan but does require an updated Business License.
- b. Site plans for a single-family dwelling unit on an existing legal lot and other residential projects with two to four dwelling units on one legal lot.
- c. Development plans that are exempt from the California Environmental Quality Act.

Occupancy and single-family residential applications go through a process through the Planning Department before construction plans can be submitted for a building permit. The recommendation is to remove the Administrative Plot Plan (APP) application and allow occupancy and single-family residential applications to submit for a building permit. The removal of the APP would reduce the number of applications, and timing for residents and the development community.

Building permits are currently routed to Planning for review and consistency with their (APP). Planning staff can conduct the planning review under the building permit. Generally, this proposal will streamline the process but will reduce the identification of issues early on in the process.

Fees may need to be established for cost recovery efforts for planning review under building permits.

Adding Online Tracking – Planning and Public Works Cases

The City's current software has the ability for the public to track the progress of their application and/or permit. The applicant must first create an account and have the case number readily available. Currently only building permits can be tracked online. *The Planning Department is working on identifying workflows to be added into our application types, that once established would allow for online tracking of Planning cases. Public Works will also provide online tracking, specifically due to the number of studies that are reviewed by Public Works in conjunction with Planning applications.*

Reporting

The City's permitting system includes standard and custom reports. The Building Department produces regular reports that identify plan checks that have not been completed during the prescribed time frame. This report is then provided to all staff members that are listed. *Community Development and Public Works staff intend to produce similar reports regarding overdue tasks and will monitor them frequently to ensure accountability.*

Fiscal Impact:

The cost to prepare this report is approximately \$500.

Recommended Action:

Discussion and direction to staff.

Attachments:

- A. Building Permit Process Flow Chart
- B. Administrative Plot and Certificate of Occupancy Flow Chart

Incorporated by Reference:

City of Beaumont 2040 General Plan

City of Beaumont Zoning Ordinance

City of Beaumont Strategic Plan

Permit Streamlining Act

California Environmental Quality Act (CEQA)

California Subdivision Map Act

City of Beaumont Planning Department Project File Tentative Parcel Map 37440 PM2019-0006, Plot Plan PP2019-0222, Conditional Use Permits CUP2017-0010, CUP2019-0037, CUP2019-0038, Mitigated Negative Declaration & Mitigation Monitoring & Reporting Program ENV2019-0010, Specific Plan (SP2021-0005), Tentative Parcel Map 38223 (PM2021-0009), General Plan Amendment (PLAN2021-0656), Plot Plan (PP2021-0388), Plot Plan (PP2021-0390), Plot Plan (PP2021-0391), Environmental Impact Report (ENV2021-0017), Administrative Plot Plans (PP2024-0035) and (PP2024-0038)