



Development Process Efficiency: Cutting Through the Red Tape





Final Report

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Prepared for:
National Association of Home
Builders
1201 15th Street, NW
Washington, DC 20005

Submitted by:
Kimberly Burnett
Tyler Morrill
Abt Associates
55 Wheeler Street
Cambridge, MA 02138

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Introduction

Although rapid increases in home prices took a pause during the recession that ended in 2009, home prices are again on the rise. Dozens of approaches to improving housing affordability for working-class families have been implemented. These include a variety of different types of subsidies, but also innovative ideas like community land trusts, shared house price appreciation, reverse mortgages, and density bonuses.

In the quest for creative solutions, less glamorous but often more important factors of housing costs are often overlooked. In fact, if there is one silver bullet to improve housing affordability, it is probably not found in a new program or subsidy or type of mortgage. Instead, it is more likely to be found among the practices, processes, and regulations to which virtually every house built in the United States is subject. This report focuses on the land development review and approval process, an arcane-sounding component of housing development, but one that impacts the cost of new housing at all price levels.

Lengthy and Unpredictable Processes Add Costs to Housing Development and Hurt Affordability

The land development review and approval process is an important component of the risk and expense of a housing development project. In many areas of the country, development approvals have gone from taking a few months to two years or more (sometimes many more) years to obtain. This lengthy process is often also unpredictable and ties up builders' capital and accumulates interest expenses and other carrying costs before even one shovelful of dirt is moved. Fees assessed on development also add directly to the cost of housing and often do not reflect the actual impact of the housing development on the community.

These costs add significantly to the overall expense of housing for potential homeowners, often without a commensurate benefit in return for the expense entailed, and can even affect the very feasibility of a development project.

In addition, the land development review and approval process often consumes a great deal of builders' time. Much of the frustration related to land development review and approval involves the complexity of the process and the lack of information about what the steps are, what documents need to be provided at each step, and how long each step will take. The fact that most builders work in multiple jurisdictions, each typically with different processes and requirements, compounds the problem.

Lengthy and complicated review processes represent an especially difficult challenge for affordably priced housing, fundamentally affecting who can afford to purchase a home. With a lower return on investment, affordable housing projects suffer disproportionately from development fees and costs associated with regulatory delay. As a result, fewer affordable housing units are built.

In fact, as described in this report, Mayor de Blasio of New York City saw such a clear connection between an efficient land development review and approval process and affordable housing development that he made it one of the key strategies for increasing production of affordable housing in the city's housing plan created in 2014.

An Efficient Process Benefits Municipalities, Government Staff, and Taxpayers

An efficient land development review and approval process benefits builders and home buyers, but it also benefits municipalities, government staff, and taxpayers. It results in cost savings to government agencies by reducing redundant review and time-consuming procedures that have little added benefit. It also improves staff morale and retention both by eliminating confusing and stressful procedures, and by improving relationships between review staff and developers.

An efficient process can also directly improve a local jurisdiction's bottom line. As described in the Montgomery County case study, a financial analysis done for the county concluded that adding a year to the review and approval process could reduce the value of a property by 20 percent, which lowers the property tax base.

During times of economic volatility, an efficient process also helps to return foreclosed property to productive use more quickly. It can also facilitate developers' ability to rapidly adjust a project to meet changing market conditions rather than abandoning plans altogether.ⁱ

Despite the numerous benefits to all of these people—builders, taxpayers, home buyers, government staff, and others—the development approval process remains a long, contorted path in many jurisdictions today, particularly since the recession that ended in 2009. Earlier research by NAHB and others identified strategies to improve development review and approval process efficiency, but there are few examples of recent efforts to achieve effective results.

Many Jurisdictions Have Made Recent Efforts to Improve the Process

This report focuses on strategies used recently—primarily since the end of the recession—to improve the efficiency of the land development review and approval process. The research was conducted by Abt Associates for NAHB. As a first step, Abt Associates compiled a comprehensive list of approaches being used based on an extensive review of popular and professional media, Internet searches, and interviews with practitioners, administrators, and industry observers.

These strategies were divided into seven different categories:

- Streamlining/consolidating the review process
- Increasing staff capacity for land development review and approval
- Creating a separate process for expedited review
- Implementing online permitting

- Creating accountability
- Making the process more user friendly
- State-level strategies

All seven of these categories and specific strategies in each category are summarized in Exhibit 1-1.

Exhibit 1. Strategies for Increasing Efficiency in the Land Development Approval Process

Group	Strategies
Streamlining/ consolidating the review process	<ul style="list-style-type: none"> • Overhaul permitting approval process • One-stop permit system • Increase coordination between permitting agencies • Standardize interpretation of laws or building codes across large geographical areas • Change or update zoning to reduce the need for individual variances • Combine public hearings to consolidate community input process
Increasing capacity	<ul style="list-style-type: none"> • Maintain appropriate staffing levels • Hire specialized staff • Establish a reliable mechanism for funding building services
Creating a separate process for expedited review	<ul style="list-style-type: none"> • Expedited review for desirable housing proposals • Expedited review based on pre-approval • Expedited review for an extra fee
Implementing online permitting	<ul style="list-style-type: none"> • Online permitting; online submission of building plans; and real-time inspection progress updates
Creating accountability	<ul style="list-style-type: none"> • Annual report including statistics such as average approval time • Online permit progress tracking • Customer satisfaction surveys • Tie employee advancement/promotions to performance record • Limits on review times for components of the land development permitting process
Making the process more user friendly	<ul style="list-style-type: none"> • Comprehensive checklist of requirements accompanied by staff help • Create 'development assistance department' • Assist with quality of applications • Improve communication between government staff and developers with regular meetings
State-level strategies	<ul style="list-style-type: none"> • Create state-level regional planning commissions/authorities to provide planning and regulatory assistance to local government agencies • Pass state legislation to improve the land development process • Provide resources to towns and cities

This list was compiled into a database of strategies, and more extensive information about each strategy was collected from online and print documentation and telephone interviews with state and local officials and representatives from organizations such as local builders' groups. Following this, several different locations were selected as the subject of more in-depth case studies based on interviews with government staff and local builders. These locations were selected to highlight the range of types of places and strategies being used. Both local- and state-level efforts are highlighted; some case studies describe strategies that are unique to the location; and several document extensive overhauls of land development review and approval processes.

Overview of this Report

The remainder of this report presents the information gathered during this research. It is intended as a resource for builders, communities, affordable housing advocates, and others looking for replicable strategies—and results of these strategies in other communities where they have been implemented—to improve local land development review and approval processes.

Beginning with the next section, each strategy description provides examples of locations using the strategy and sources of information about the strategy. The descriptions also typically provide a highlight location, which is a brief description of a place that exemplifies the use of a strategy. Where available, quantitative results of implementing the strategy—such as reductions in approval timeframes—are also provided.

Many of these strategies are further illustrated in case studies located at the end of each section about different locations that have recently made efforts to improve the land development review and approval process. As noted above, most of these efforts are being made at the local level, but states are sometimes also involved in creating conditions that facilitate local governments' efforts to streamline permitting.

Streamlining/Consolidating the Review Process

Several counties and cities have taken steps to streamline the permit review process by simplifying, combining, or eliminating unnecessary process components; increasing coordination between - or combining - public agencies; and standardizing laws and codes in large geographical areas.

The goal of these efforts is to reduce the effort involved by making the process smoother, more predictable, more efficient, and shorter while maintaining the rigor of the review.

“I’m not asking you to change the laws; I’m just asking you to be efficient.”

-Bob Kaufman, Senior Vice President Maryland Building Industry Association

Overhaul permitting approval process

Rather than tinker around the edges, some towns and counties have taken a broad approach to development review process efficiency by overhauling the entire process. This typically involves taking a step back to examine the review process as a whole, identifying process bottlenecks, and then redesigning the process so that it is as efficient as possible. In some places, such as in Kittitas County, Wash., the process overhaul was relatively expedient and efficient.

More often, successful overhaul efforts last months and require substantial time commitments. They involve community and stakeholder engagement, coordination between public agencies, and transparency through mechanisms such as reports and public forums. These overhauls almost always involve implementation of multiple strategies described in later sections, including adopting online permitting and tracking systems, establishing one-stop permit locations, improving user-friendliness by providing applicants with information and assistance at the beginning of the application process, and improving accountability.

In addition, successful process redesigns require leadership. For example, in Montgomery County, the County Executive spearheaded the streamlining process. In Leesburg, the town manager’s office led the effort, and permitting agency staff took responsibility for implementing the streamlining plans.

It can be difficult to generate the willpower and buy-in necessary for a complete process overhaul. For this reason, complete process overhauls are less common than improvements to specific process components like a one-stop permit system or e-filing of permits.

Government officials note that a single, major redesign of the process is insufficient. Rather, maintaining an efficient process requires regular, ongoing efforts to make sure the process is effective and reasonable. For example, despite Montgomery County’s recent overhaul of its permitting process, Diane Jones, director of the Department of Permitting Services in

Montgomery County, believes the work is not finished. She said, “You need to do your tune-up regularly.”

Examples of places using the strategy

- ***Kittitas County, Wash.*** overhauled their permitting approval process in 2015 by taking part in the State of Washington Audit Office’s Lean Academy. Kittitas’s Community Development Services Department (the county permitting department), underwent 8 days of training in the academy in which the entire permitting process was mapped and then optimally redesigned. As a result, the permit application package for single-family residential building permits was reduced from 26 to 17 pages, and permit processing time went from seven weeks to four weeks or less.
- ***Montgomery County, Md.*** undertook a cross-agency streamlining effort in 2012. The effort was expansive and sought to gather a wide range of input through public forums, a development process survey, a comments section on the Montgomery County webpage, roundtable discussions with key stakeholders, and finally work groups focused on specific problem areas (see case study).
- ***Leesburg, Va.*** overhauled its development approval process beginning in 2007 without any additional staff or funding. Rather than making changes to the existing system, the entire development process was redesigned with the aim of approval process efficiency.
- ***Goodyear, Ariz.*** established a one-stop permit shop, a permit by email system, and online permit tracking, and implemented electronic plan review in 2015.
- ***Aurora, Colo.*** revises its development process about every 10 years to reflect changing conditions and new input from stakeholders. In 2011, the city undertook the All 4 Business Initiative, its most comprehensive review of the city’s development process to date.

Highlight location: Aurora, Colo.

Aurora, Colo. undertook a comprehensive review of the city’s development process in 2011, called the All 4 Business Initiative. As part of the process, input was solicited during meetings, interviews, and an online survey from 315 participants that represented a cross-section of Aurora’s business and development community. The action plan that resulted from this effort included more than 50 individual items and has three objectives: improve customer service culture, streamline the development process, and improve access to and quality of information.

Among many other changes made as part of the initiative, the city launched online submittals and electronic review for new development applications in 2012 in the Planning Department. The process includes electronic referrals and the ability to make fee payments online. The online submittal and electronic review eliminates costly printing and processing, delivery, and travel throughout the review process.

Sources of information

- Kittitas County, Wash.: Local Government Performance Center summary document <http://www.sao.wa.gov/local/Documents/Kittitas-Building-Permit.pdf>
- Leesburg, Va.: Land Development Process Improvements 2011 VML Achievement Awards <http://www.leesburgva.gov/Home/ShowDocument?id=8024>
- Montgomery County, Md.: Streamlining the Development Process summary webpage <http://permittingservices.montgomerycountymd.gov/dps/streamlinedevelopment/StreamliningDevelopment.aspx>
- Goodyear, Ariz.: Development Services <http://www.goodyearaz.gov/government/departments-divisions-a-z/development-services>
- Aurora, Colo.: All 4 Business Initiative, Action Plan—Implementation Progress Report <https://www.auroragov.org/cs/groups/public/documents/document/010765.pdf>

One-stop permit system

In some locations, applicants must travel to separate public departments to submit application materials. Ideally, all application materials would be submitted at one physical location. Some towns and counties have strived to achieve this by creating ‘one-stop’ permit systems. This is often the result of an overhaul of a city or county’s permitting functions and typically involves consolidating departments and reorganizing staff.

In addition to increasing the user-friendliness and simplicity of the process for residents and developers, having different permitting agencies in one location often results in better communication, coordination, and problem solving between agencies. For example, in the City of Newton, Mass., permit-related personnel from different public departments work together on the second floor of a shared building. This has resulted in a continual exchange of information between personnel from different departments, such as planners and building inspectors.

Examples of places using the strategy

- ***Sunnyvale, Calif.*** was one of the first locations to implement a one-stop permit center in 1985 after listening to input from business leaders, property owners, and developers. The public departments housed within the one-stop permit center include Community Development, Public Works, and Public Safety. The city is able to provide streamlined plan review and building permits, with more than 90 percent of building permits issued at the counter.
- ***Brevard County, Fla.*** has a one-stop permit center that handles request for most types of permits.

- **Denver, Colo.** recently implemented a Development Services office, a one-stop location that houses all relevant city agencies.
- **Goodyear, Ariz.** houses its Planning, Building Safety, Development Services, Economic Development and Engineering departments in a single, one-stop permit shop.
- **Leesburg, Va.** has a ‘central plan intake’ that functions similarly to Goodyear’s one-stop permit shop. All types of land development applications are submitted through Central Plan Intake (CPI). CPI then makes sure each application is complete before accepting it, logs the information properly into the interdepartmental information system, and sends applications to project managers for reviewer assignment.
- The **City of Fort Wayne** and **Allen County, Ind.** undertook a joint project to streamline the permitting process and work toward a seamless "one-stop shop" approach centered around a common software platform. This joint venture greatly improves the permit routing process and the sharing of information between permitting departments. While some departments use this software for internal use only, others have developed online applications for common permits. In 2008, the Fort Wayne Land Use Management and Zoning Department and the Allen County Department of Planning Services took the additional step of becoming one department.

Highlight location: Goodyear, Ariz.

The one-stop permit shop in Goodyear combines the city’s permitting departments under one roof. All project applications, from minor home improvement projects to master-planned communities, are submitted through the one-stop permit shop. Staff process incoming applications and forward them to the appropriate permitting departments. When the permit is ready, the applicant picks it up at the one-stop shop.

Sources of information

- Sunnyvale, Calif.: One-Stop Permit Center
<http://sunnyvale.ca.gov/Departments/CommunityDevelopment/Permits,PlanChecksandFees/OneStopPermitCenter.aspx>
- Brevard County, Fla.: Planning and Development Building Permits
<http://www.brevardcounty.us/PlanningDev/AppsFees/BuildingPermits>
- Denver, Colo.: Denver Development Services
<https://www.denvergov.org/content/denvergov/en/denver-development-services.html>
- Goodyear, Ariz.: Development Services
<http://www.goodyearaz.gov/government/departments-divisions-a-z/development>
- Leesburg, Va.: Process Flow Chart for Preliminary Plat of Subdivision
<http://www.leesburgva.gov/home/showdocument?id=1039>
- Allen County, Ind., Permits and Development
<https://www.allencounty.us/permits-development>

Increase coordination between permitting agencies

In addition to being a benefit to one-stop permit systems as discussed above, increased coordination between permitting agencies can be used as a discrete strategy. Locations have employed a wide array of methods to increase coordination between departments, such as regularly scheduled interdepartmental meetings, sharing support staff members, and creating interdepartmental committees, with the purpose of improving internal communication. Ombudsmen sometimes also act to help coordinate across departments (see “Hire specialized staff” section).

Increased coordination between permitting agencies can be used as a strategy that stops short of consolidating departments into a one-stop permit system and instead colocates them or designates a committee or staff person to communicate and coordinate with other departments.

Examples of places using the strategy

- **Roseville, Minn.** established a Development Review Committee (DRC), which is made up of representatives from permit-related public departments such as administration, community development, police, fire, engineering and public works, streets and utilities, and parks and recreation. The committee works to increase coordination between separate departments, resolving discrepancies between the permitting requirements of different departments.
- **Lincoln and Hingham, Mass.** both implemented regularly scheduled interdepartmental meetings between all regulatory agencies responsible for permitting. The meetings provide a venue to create efficiencies and coordinate permitting processes.
- **Newton, Mass.** has a staff-sharing system where administrative personnel are shared between permitting departments, carrying out similar tasks for each department.

Highlight location: Newton, Mass.

In the City of Newton, Mass., permit-related personnel from different public departments work together on the second floor of a shared building. In addition to improving interdepartmental communication by collocating permitting agencies in a single building, Newton has a staff-sharing system. In this system, permitting departments share administrative staffers who perform similar tasks for each department, reducing costs and increasing efficiency.

According to local permitting focus groups conducted by the Massachusetts Association of Regional Planning Agencies, permitting offices in close proximity to each other such as the one in Newton increased process efficiency.

Sources of information

- Roseville, Minn.: Land Use Review Process
<http://www.ci.roseville.mn.us/DocumentCenter/View/2033>

- Lincoln and Hingham, Mass.: Permitting Best Practices Guide (page 18)
<http://www.mass.gov/hed/docs/permitting/permitting-bestpracticesguide.pdf>
- Newton, Mass.: Permitting Best Practices Guide (page 19)
<http://www.mass.gov/hed/docs/permitting/permitting-bestpracticesguide.pdf>

Standardize interpretation of laws or building codes across large geographic areas

Laws and permit application and review processes typically differ between locations within a larger geographic entity, for example across cities within a county or across counties within a state, and this can make the building process more difficult and costly. Although not part of the land development review and approval process, inconsistencies in building codes between locations also adds to the complexity of the overall development process. Standardizing laws, building codes, and application and review processes across larger geographic areas can make the process easier, especially for regional builders.

Regional coordination is relatively rare and involves extensive cooperation between geographic locations. The strategy is generally limited to municipalities that have fairly similar comprehensive plans and environmental concerns. Statewide adoption of building codes is more common and requires legislative action.

Examples of places using the strategy

- The *state of Oregon* created the Land Use Board of Appeals (LUBA) in 1979 to provide consistent interpretation of state and local land use laws, simplify the appeal process, and speed resolution of land disputes. In addition, LUBA decisions are made publicly available, so state and local legislators, land use professionals, city and county land use decision makers, and property owners can use the decisions as a resource.
- In *Maricopa County, Ariz.*, municipalities formed the Regional Plan Review Group. Participating municipalities adopted identical building codes and plan review checklists, so that a plan approved in one jurisdiction would be approved in all group member municipality jurisdictions.
- Many coastal communities in *Mississippi* adopted the International Building Code after Hurricane Katrina to make the process of rebuilding easier and the new buildings more storm resistant. Mississippi adopted this code statewide in 2014, although communities may pass a resolution opting out of the statewide code. Other states with statewide building codes include *Virginia* and *Pennsylvania*.

Highlight location: Maricopa County, Ariz.

To facilitate the development process across Maricopa County, several jurisdictions formed a partnership called the Regional Plan Review Group in about 2005. Member jurisdictions adopted identical building codes and plan review checklists, assuring builders that plans that

passed review in one jurisdiction would be acceptable to all others as well. In fact, a plan approved in one municipality would receive approval in all participating municipalities. This gave developers the ability to develop plans that would meet development standards in multiple municipal jurisdictions, saving time and money for applicants and planning agencies. Developers were also able to choose the community with the shortest application approval time, balancing the workload among planning departments in participating communities. Members of the Regional Plan Review Group also consulted with each other about code interpretation, improving consistency in code enforcement across the jurisdictions and reducing uncertainty during development.

Sources of information

- State of Oregon Land Use Board of Appeals website
http://www.oregon.gov/LUBA/Pages/about_us.aspx
- Maricopa County, Ariz.: HousingPolicy.org
http://www.housingpolicy.org/toolbox/strategy/policies/expedite_permitting.html?tierid=27%20-%201
- Mississippi: “MS Adopts Statewide Building Code, But Some Communities May Opt Out”
<http://www.wlox.com/story/25149811/ms-adopts-statewide-building-code-but-some-communities-may-opt-out>
- Virginia: Virginia Uniform Statewide Building Code
<http://www.dhcd.virginia.gov/index.php/va-building-codes/building-and-fire-codes/regulations/uniform-statewide-building-code-usbc.html>

Change or update zoning to reduce need for individual variances

Zoning codes need to be updated as community development goals, market conditions, neighborhood boundaries, and construction processes and materials change. For example, in 2012, Philadelphia’s zoning code was 40 years old. As a result, over 35 percent of issued zoning permits required an individual variance, with a hearing with the city’s Zoning Board of Adjustment. The majority of these hearings were for standard homes. The code was so old it didn’t allow PVC pipe—the industry standard—to be used for plumbing.

Many towns and cities are recognizing that they are in a similar position and need to update their zoning code and comprehensive plan to reflect the current reality. That said, while zoning reform is a fairly common strategy, it is not always undertaken with the goal of reducing the number of variances needed.

Examples of places using the strategy

- *Cincinnati, Ohio* rewrote its zoning code between 2000 and 2003. The new code used performance zoning and encouraged cluster and mixed-use development.

- **Denver, Colo.** overhauled its zoning code in 2010. Goals of the new form-based code include making the development process simpler, less contentious, and less costly for developers.
- **Philadelphia, Penn.**'s new zoning code went into effect on August 22, 2012.
- **Milwaukee, Wisc.** undertook a zoning rewrite from 1997-2002. The 1920 zoning code there was last amended in 1984 and was so complex that current city buildings were not permitted under code. In the revised code signed by the mayor, 80 percent of the text changed, and the code's 26 chapters were reduced to only 10. As a result, zoning appeal time was reduced from twelve to four weeks. Fewer cases were brought to the zoning board of adjustment as well.

Highlight location: Philadelphia, Penn.

Philadelphia's 2012 zoning code was the first comprehensive zoning code rewrite in nearly 50 years. The process began in 2007 when a voter referendum created a 31-member commission with the task of reforming the city's zoning code. After four years of work by the commission—in collaboration with the city council, stakeholders, and citizens—the new zoning code was passed in 2011 and became effective in 2012. The new zoning code is part of a larger integrated planning and zoning process that includes zoning reform, the city's comprehensive plan, and the Citizen's Planning Institute.

One year after the new code was adopted in Philadelphia, there was an 11 percent increase in zoning permits approved by right, a reduction in the number of variances in some districts, and a general feeling among code users that the new code was easier to understand and navigate.

Sources of information

- Cincinnati, Ohio; Denver, Colo.; and Milwaukee, Wisc: "If We Fix It, They Will Come" (pages 42-43)
<http://may8consulting.com/FinalReportFinal-9-241.pdf>
- Philadelphia, Penn.: "One Year Zoning Code Review"
<http://www.phila.gov/CityPlanning/projectreviews/Pages/Zoning.aspx>
<http://www.phila.gov/CityPlanning/projectreviews/PDF/OneYearReport.FINAL.pdf>

Combine public hearings to consolidate community outreach process

It is often necessary for permit applicants to conduct public hearings during board meetings for multiple permitting departments, such as the Planning Board, Conservation Commission, and Board of Health. In municipalities where boards meet infrequently, multiple hearings can add considerable time to the permitting process. Combining multiple appearances into a single hearing can reduce the total permit approval process time. It also allows the municipality to consolidate reviews, reducing the total number of hearings.

At the local level, combining public hearings requires coordination and cooperation between departments and agencies, as well as procedural changes. Administrative agreements between participating boards may be necessary; in other cases board and commission rules and regulations may need to be revised to facilitate joint hearings.

In some places, state legislation may be needed to authorize joint hearings or consolidated permitting.

Examples of places using the strategy

- In *Yakima County, Wash.*, permit applicants are entitled to a combined hearing. As an alternative, the applicant can agree to an extended schedule that includes additional time necessary for combining public hearings.
- In *Kent, Wash.* (in Yakima County), the planning director has the authority to combine any public hearing on a project permit with hearings from another local, state, regional, federal, or other agency as long as a number of conditions are met, including that the other agency consents to the joint hearing. Any applicant may also request a joint hearing. Other communities in Washington, such as *Shelton* and *Ilwaco*, have similar municipal codes. In Shelton, city administrators are required to cooperate to the extent possible with other agencies in holding a joint hearing if requested.
- *Maryland* has a statute allowing joint and consolidated hearings on permits for projects that involve development permits by state agencies and local governments.
- *Oregon* law allows local governments to establish a consolidated procedure for applicants to apply at one time for all permits or zone changes needed for a development project.

Highlight location: Kent, Wash.

Kent, Wash.'s ordinance allows the planning director to combine any public hearing on a project permit application with any hearing held by another agency on the proposed action, as long as the other agency agrees and is not prohibited by statute from doing so; sufficient notice is given; the agency has all the necessary information from the applicant in time to hold its hearing; and the hearing is held within the Kent city limits.

Kent's ordinance is authorized by Washington State statute that allows a local government to combine hearings as long as the hearing is held within the geographic boundary of the local government. The statute goes still further, requiring that hearings must be combined if requested by an applicant, as long as statutory time periods are observed or the applicant agrees to additional time to allow for combined hearings.

Sources of information

- Yakima County, Kent, Wash.:
<http://www.codepublishing.com/wa/yakima/html/Yakima16/Yakima1603.html>
<http://www.codepublishing.com/WA/Kent/html/Kent12/Kent1201.html#12.01.060>

- Shelton, Wash.: “Consolidated Permit Review Process”
<http://www.codepublishing.com/wa/Shelton/html/shelton17/shelton1706.html>
- Ilwaco, Wash: “Administration of Development Regulations”
<http://www.codepublishing.com/wa/ilwaco/html/Ilwaco15/Ilwaco1508.html>
- Washington, Oregon, and Maryland: “Administrative and Judicial Review of Land-Use Decisions”
<https://www.planning.org/growingsmart/guidebook/print/pdf/chapter10.pdf>

Case Study: Leesburg, Virginia

Prior to Leesburg's land development permit process overhaul, the permitting process was long and characterized by multiple rounds of resubmissions, uncoordinated and conflicting comments from the town's permitting departments, and an unhelpful 'pass or fail' attitude among reviewers. Since launching the permitting overhaul initiative in 2007, the town experienced dramatic decreases in both permitting times and the average number of submissions per application. As an even better indication of change, public perception of the permitting environment in Leesburg has reversed, and the town is now considered a leader in permitting process efficiency.



Loss of high-profile business prompted streamlining initiative

Before 2007, a permit applicant in Leesburg could expect to submit their application seven times, with each resubmission taking well over the state-mandated 45 days for second and subsequent submissions. In addition, an applicant could expect three separate comment letters from different permitting departments sent at different times, often with conflicting comments.

The catalyst for change, though, came from a high-profile failure of the permit process. In October 2007, Wolf Furniture abandoned plans to open its first showroom location outside of Maryland or Pennsylvania due to frustrations with the permitting process in Leesburg. The company also took steps to make public the reason it was doing so, becoming a catalyst for an overhaul of Leesburg's land development review process. Specifically, company president Douglas Wolf criticized the process for being lengthy and having no clear timetable for responding to the applicant or making progress in the legislative or site plan processes.ⁱⁱ

In response, the Town Manager's Office gathered input from the town's land development agencies as well as private-sector stakeholders on how the process could be improved. The town manager and town council worked to devise a plan to overhaul the permitting process, and by November 2007 the town council passed a resolution mandating a series of required changes to the permitting process.

The review and approval process changes that followed fall into three categories: communication, management, and agency culture.

Communication: 'We have a much more collaborative effort now'

Communication was perhaps the most important barrier to efficient permitting in the town. Communication between the town's planning and permitting agencies—including the Department of Planning, Zoning, and Development; the Department of Public Works; and

the Utilities Department—was weak, and communication with applicants was limited and uncoordinated.

To improve communication, the Town Council created a Department of Plan Review. The new department combined staff responsible for reviewing site plans from two departments—the Department of Engineering and Public Works and the Department of Planning, Zoning, and Development—into a single agency. Staff at the Department of Plan Review is organized into two review teams, each with a mix of planners and engineers. Each application is assigned to a project manager. The project manager acts as a single point of contact for each applicant and is responsible for coordinating comments, scheduling applicant meetings, and fielding applicant questions.ⁱⁱⁱ

The town also hired an assistant town manager with a background in planning in order to bring planning and permitting expertise into the town manager's office. Among other things, the assistant town manager functions as a liaison between the town manager's office and the Department of Plan Review.

Town-wide adoption of the county's Land Management Information System (LMIS) further improved both interagency communication and communication with applicants. Provided free by the county, the system is linked to the county's real estate assessment database, GIS layers, and permit information.

In addition to improving internal coordination and communication, LMIS allows the county to communicate with applicants with a monthly development activity report. Available online, anyone can download the report and check the status of the town's current applications for rezoning, special exceptions, commercial development, subdivision plats, and public infrastructure projects. The Department of Plan Review can also differentiate agency staff review and applicant response time within the review process to understand each party's responsibility for bottlenecks and a lengthy process.

The town also used several other strategies to improve communication with applicants and the public. First, the Department of Plan Review instituted a series of meetings with developers that are voluntary for developers and free of charge. Pre-application meetings between applicants and permitting staff help to anticipate problems and ensure that applications are complete. After each submission, the project's engineers and owners are invited to a post-submission meeting to discuss the review team's comments. While review staff were initially resistant to the idea of adding more meetings to their already heavy workloads, these meetings have improved communication between review staff and applicants and contributed to reductions in both review times and the number of resubmissions. Project owners are invited to all of these meetings, which also speeds the process. All of the decision makers are in the room during review meetings, so decisions can be made on the spot.

Second, comments to applicants are now coordinated. Conflicting, overlapping, and illegible comments were previously a persistent source of frustration among applicants. The Department of Planning, Zoning, and Development, the Utilities Department, and Public Works each sent uncoordinated, discrete comment letters at different times. The project manager assigned to the application is now responsible for consolidating all town and county agency comments, so that applicants are given clear and consistent direction in a single comment letter. Additionally, comment letters were sent exclusively to project engineers in the past. Now, in addition to being invited to the application meetings, owners are copied on comment letters.

Third, the director of the Department of Plan Review sends out quarterly emails to developers asking for feedback. Feedback sometimes involves a comparison of Leesburg's process with that of surrounding communities. For example, if a developer thinks a requirement is too rigorous and can prove that the corresponding requirement in another town is less rigorous, the director will engage a committee of private sector developers and engineers to explore the issue to see if the Leesburg requirement can be modified.

Assistant Town Manager Scott Parker summarized this new focus on communication: "We have a much more collaborative effort now on the part of all staff who review applications, as well as outside agencies, as opposed to the silos that used to exist."

Management: 'One-stop shop' and clearer signature authority

Perhaps the most important management change to come out of the permitting process overhaul was the creation of Central Plan Intake (CPI). Housed within the Department of Plan Review, CPI acts as a 'one-stop shop' to standardize the acceptance process for permits and the many different land development applications (such as site plan, rezoning, subdivision, and special exception). CPI staff members perform completeness checks on applications, direct applications to project managers, and act as liaisons with Loudoun County officials regarding needed upgrades and changes to LMIS.

Another important management change was to signature authority. Previously, the authority for signing and processing plans did not reside with the person responsible for them. For example, although the chief of engineering was responsible for all the land development construction plans in the town, he didn't have the authority to sign them. As a part of the overhaul, the authority to sign plans was given to the person responsible for reviewing the plans—and who is thus most familiar with them.

Agency culture: 'We don't consider ourselves fixed, we consider ourselves better'

Perhaps the most noticeable change on the ground level is a change in the culture surrounding permitting in the town. Bill Ackman, the director of the Department of Plan Review, remembers facing a culture where reviewers viewed themselves as umpires, and applications were either 'safe' or 'out' when he arrived in Leesburg in 2005. Additionally,

staff did not see it as the town's responsibility to provide suggestions to applicants about how to fix errors. Morale was also low in the office.

Ackman said, "You're always going to have somebody who doesn't get exactly what they want, and they will start screaming and pouting and going to elected officials and things of that nature. In the past it was very demoralizing for staff because we just took it on the chin. What else could you do? We didn't have a very good track record."

The overhaul process included a change in culture that encourages reviewers to be partners with applicants rather than umpires, providing direction and feedback to applicants about what is expected in the next submission. This cultural change, along with structural changes designed to promote communication and feedback between reviewers and applicants, had the combined effect of reorienting the entire permitting process toward partnership, accessibility, transparency, and open communication.

"We don't consider ourselves fixed, we consider ourselves better. We need to keep an open mind and continue to be fluid in looking for ways to improve because once we become complacent, we are right back to where we were."

- Bill Ackman, Director of the Department of Plan Review

The town's hiring practices have also worked to encourage a partnership relationship with applicants. In particular, the town has been hiring more staff with private-sector experience. Ackman noted that reviewers with private-sector experience bring a different perspective and are often able to understand the engineering behind plans more clearly because they have done it themselves.

Director of Planning and Zoning Susan Berry-Hill also noted that private-sector experience contributes to better reviews that include substantive suggestions for solving problems that the applicant may not have considered. With highly talented staff working in a more efficient system, external perceptions of the land development agencies in Leesburg changed dramatically.

Commenting on this, Ackman said, "Today, morale is up because when these guys that go screaming to the council or the planning commission, the commission or the council says 'You know, let me take a look at that a little bit.' They don't just take the word of everyone that comes in complaining. We have a little credibility now."

The last culture change that has taken place in Leesburg relates to openness to change. Ackman noted, "We don't consider ourselves fixed, we consider ourselves better. We need to keep an open mind and continue to be fluid in looking for ways to improve, because once we become complacent, we are right back to where we were."

As noted earlier, in keeping with this new orientation, the director of the Department of Plan Review emails developers quarterly asking for feedback on how the Department of Plan Review can become more efficient or easier to work with. The Town Manager's Office also regularly surveys the development community for feedback on process improvements.

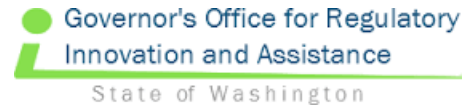
Results

A highly publicized system failure spurred the process overhaul effort in Leesburg. The town responded adroitly, and Leesburg is now a leader in permitting process efficiency. The number of submissions for each application dropped from an average of seven or more to three. The duration of each submission also decreased. Submissions that routinely took longer than the state-mandated limit now are well within this timeframe, taking roughly half the state-mandated time for first reviews. With fewer and shorter submissions, the overall time for application approval in the town has decreased. It is also a more predictable process.

Perhaps the best indicator of success however, is the reversal of Wolf Furniture's decision to abandon the town after observing the changes to the permitting process that took place there.

Case Study: Washington State

Washington State is an example of how tools and resources provided at the state level can improve review and approval processing efficiency in local governments while leaving permitting under local control. Two agencies in particular, the Governor’s Office for Regulatory Innovation and Assistance (ORIA) and the State Auditor’s Office, are providing assistance, tools, trainings, and other resources to permit applicants and local governments to increase permitting efficiency. In addition, state legislative action and an approved citizen’s initiative also played critical roles in increasing process efficiency in the state. When these tools are used by local governments, they have translated into significant reductions in land development review and approval processing times.



State Auditor’s Office: ‘Come with solutions’

Perhaps counter-intuitively, the State Auditor’s Office is a key source of best practices for local land development review and approval processes. As required by Initiative 900, which was approved by voters in 2005, the State Auditor conducts performance audits of state and local government agencies. The State Auditor soon realized, however, that it was difficult to share best practices between local governments—one of the main goals of the performance audits—due to the uniqueness of individual local governments.^{iv}

To address this challenge, the director of performance audits solicited input from local government stakeholders on how to maximize the value and utility of performance audits for local governments. A survey and a series of focus groups showed that local governments needed assistance in three broad areas:

- ***Evaluating operations and services:*** including understanding and using effective performance measures; setting targets/benchmarks; and staffing analysis and models.
- ***Managing and improving performance:*** including building logic models that explain what government does and why; how to manage with performance measures and data; process improvement methodologies; alternative service provision models, tools and success stories; and performance-based budgeting.
- ***Communicating with citizens:*** Engaging citizens in setting priorities and solving problems; using social media in local government; and how to create and use dashboards/scorecards.

In response to this feedback, the director of performance audits created the Local Government Performance Center in 2012. Carlos Venegas, a Lean process consultant for the state, explained that, “The State Auditor’s Office was interested in doing more than just showing people where things weren’t working—which is the idea of an audit—they wanted to come with solutions.”^v

The center was designed to foster more efficient and effective local government, proactively helping governments work better and cost less without the threat of an audit.

The center offers trainings and resources to local government entities on topics that address the needs uncovered by the survey and focus groups on issues such as performance management, financial management, data management, performance metrics, and strategic planning.

Lean Academy: ‘There’s much more of a partnership attitude’

Among the many resources offered by the Local Government Performance Center, perhaps the most powerful for local governments wishing to increase process efficiency in permitting departments is the Performance Center’s Lean Academy. The Lean process, developed in Japan to create efficiencies in manufacturing processes, provides principles, methods, and tools to develop a culture that encourages employee creativity and problem-solving skills.¹ The Lean Academy was launched in October of 2012, shortly after Kitsap County met with tremendous success in streamlining its permitting process using Lean techniques.



Since then, several more local governments throughout the state of Washington have used the training they received at the Lean Academy to streamline their permitting process. After a full-day Lean culture training session, a focused team is formed consisting of at least one key representative from each unique permitting role (e.g., permit technician). The team then trains for an additional two days to prepare for the “deep dive” work that follows, which takes from three to five days and focuses on the unique permitting challenges of that local government.

At the end of the process, the focused team leaves with a set of change initiatives and the beginning of an implementation plan, with clear expectations on which local government representative will manage the project going forward. The Lean Academy facilitators hand the project off at this point, checking in periodically in the following months and providing any further assistance necessary.

The Local Government Performance Center’s Lean Academy is as unique structurally as the set of circumstances that gave rise to it. For one, it is housed within the State Auditor’s

¹ State agencies in Washington began implementing Lean in 2011 after the Lean Transformation Executive Order was issued there. For more about Lean in Washington State Government, see “Lean Transformation Report: 2012 and Beyond,” The Governor’s Office of Accountability and Performance, October 2012, available at: <http://results.wa.gov/sites/default/files/2012LeanReport.pdf>

Office. This is advantageous, as the office works as an independent entity but was also initially a challenge.

Sheri Sawyer, deputy director of the Local Government Services in the Auditor's Office, reported that local governments were initially concerned that the training provided by the Local Government Performance Center might trigger an audit. The Performance Center assuaged these concerns by forming an external advisory committee of local government leaders that acts not only as a sounding board and source of continual feedback on Performance Center initiatives, but also as a means for building trust and buy-in among local governments.

"The number one thing I hear is teams are working better together. They can handle problems better than before and there's much more of a partnership attitude."

- Lean Specialist Debra Hentz

Importantly, Initiative 900 established a dedicated funding source (a portion of state sales tax) that enables the Local Government Performance Center to offer all of its services free of charge. This removes a common challenge faced by local governments: lack of financial resources to pay for high-quality training, resources and tools.

Lean Academy Results

Local governments that have participated in the Lean Academy have experienced noticeable improvements, shown in Exhibit 2. They have seen substantial reductions in permitting approval times, length and complexity of application materials, and successful implementation of other efficiency strategies such as technology changes and user-friendly checklists.

Exhibit 2. Results of Lean Academy in Sample Locations

Location	Permit Type	Results (average # days before and after Lean)
Whatcom County	Residential	31 days to 9 days
Clark County	Single Family Residential	45 days to 13 days
Kitsap County	Residential	26 days to 6-8 days
Island County	Shoreline Exemption	90 days to 45 days

In addition to quantitative results, common themes observed by Lean facilitators are a newfound attitude of partnership between permitting agencies and permit applicants and stronger problem-solving skills.

According to Lean Specialist Debra Hentz, “The number one thing I hear is teams are working better together. They can handle problems better than before and there’s much more of a partnership attitude.”

She recalled a small local permitting agency telling her, “A developer used to walk in the office, and there was a little bit of a groan by the people in the office going ‘Oh, here we go again, it’s going to be a problem.’ But ever since we finished this work, nobody is fearful of that anymore. There’s no groaning. In fact, it’s more like ‘Come on in, let’s see what we can do.’”

State government culture of working with the private sector

Even local governments that do not participate in the Lean Academy benefit from tools and resources provided at the state level. For example, the Governor’s Office for Regulatory Innovation and Assistance (ORIA) was established in 2007 by the Washington State Legislature specifically to work with local governments and applicants to help improve development permitting processes.

“Our goal is to reduce the time cost and frustration of doing business in the state of Washington,” said Kris Kernan, a senior regulatory improvement consultant at ORIA. “We can’t necessarily speed up the process, but we certainly can help folks clearly understand the process and what they need to do in order to get through the process.”

ORIA offers assistance, tools, and other resources for environmental permitting to applicants. Among other things, these include an information center, regulatory handbook, tips and timesavers page, and an online regulatory questionnaire to help applicants determine which local, state, and federal environmental permits, approvals, or licenses a project will need.

For example, the agency (under its previous name, the Office of Regulatory Assistance) conducted outreach with developers that, among other things, asked them to identify permit process best practices, such as online GIS maps, pre-submittal collaboration, and a consolidated comment letter. Many of these best practices have been implemented by local governments throughout the state.^{vi}

Increasing Staff Capacity for Land Development Review and Approval

Sufficient staffing to process applications is a basic prerequisite for a reasonable review process timeline. Staffing levels suffered during the economic downturn as government budgets came under pressure.^{vii} As the economy has improved, a number of places have taken steps to correct shortfalls in staffing. Some locations are also finding the right kinds of staff—including personnel who are properly trained—to be important to an efficient process.

Strategies to increase staff capacity include hiring additional staff, approving overtime when necessary, adding staff or outsourcing work during peak periods, and hiring specialized staff.

Columbus, Ohio, has taken steps to address the underlying problem—inadequate levels of funding—by creating a dedicated funding mechanism to ensure that appropriate staffing levels can be maintained.

Maintain appropriate staffing levels

In some places, one contributor to a lengthy land development approval process is simply lack of planning department staff to review applications. During the recession, many towns and cities experienced revenue shortfalls and cut staff, including from planning departments. With the resumption in building activity, the remaining staff cannot efficiently handle the workload. Towns and cities have responded by hiring additional full-time staff, approving overtime, and procuring contract services to adequately handle the workload during peak periods.

Examples of places using the strategy

- **Dallas, Tex.** recently hired about 80 full-time positions in Development Services/Building Inspections that had been cut during the recession (see case study). Funding had to be restored before needed staff could be hired.
- **Skagit County, Wash.** hired a building inspector and a permit technician in late 2012. The Planning Department also reassigned some staff members and coordinated with Public Works to supplement plan reviewers. As a result, by 2013, county charts showed all permit applications waited less than 20 days for an initial review, except Public Works permits, which were at about 35 days.
- **Columbus, Ohio** has a long-standing commitment to maintaining appropriate staffing levels. This commitment was solidified through an MOU between the city's Building Services department and industry (signed in 2001) that specifies that the city will be responsible for maintaining appropriate staff levels, appropriate training, and overtime or else contract services to cover peak periods. Columbus created a designated revenue source for the Building Services department to avoid budget fluctuations unrelated to building activity.

- **Denver, Colo.** is currently increasing staffing to respond to a building boom.

Highlight location: Denver, Colo.

Denver is currently responding to its building boom—and unusually high volumes of permit applications—by hiring new staff, paying overtime, and outsourcing some reviews. The city publishes target timelines for site development plan reviews along with current actual expected timelines. When timelines exceed targets, the city responds by increasing staffing, either temporarily (by approving overtime or outsourcing some reviews) or permanently (by hiring).

Sources of information

- Skagit County, Wash.: “County: Act fast to avoid building permit wait”
http://www.goskagit.com/all_access/county-act-fast-to-avoid-building-permit-wait/article_16115c87-7953-50f8-8e49-97cd06327de4.html
- City of Columbus: Building Services MOU
<http://columbus.gov/bzs/information/Building-Services-MOU/>
- Denver, Colo.: Denver Development Services
<http://www.denvergov.org/Default.aspx?alias=www.denvergov.org/developmentservices>

Hire specialized staff

Beyond generally increasing agency staff capacity, some planning and development departments create positions that are specifically designated to perform functions that will improve applicants’ experience. Some examples of these are ombudsman, gatekeeper, and a designated single point of contact for applicants.

Designating a staff person (or people) to improve customers’ experience is often part of an overhaul of a location’s permitting departments. In some places, this person is designated to a specific program or type of development. In other locations, there are no limitations.

Examples of places using the strategy

- **Sonoma County, Calif.** created an ombudsman position to facilitate process improvements by working within and across divisions.
- **Utah’s** Office of the Property Rights Ombudsman, staffed by attorneys, helps parties understand and comply with land use and development laws and can help resolve disputes between governments and property owners.
- The state of **Massachusetts** has a State Permit Ombudsman to assist in the 43E Expedited State Permitting Program, which promotes the expedited permitting of commercial, industrial, residential and mixed-use projects on sites designated both as a “priority development site” and a “growth district.” The program requires all state agencies, commissions, and departments involved in the Massachusetts Environmental Policy Act

review process to take final action on a permit application within 180 - 210 calendar days, or the permit is automatically granted.

- **Maricopa County, Ariz.**'s Planning and Development Department has created an ombudsman office to provide support to citizens with unresolved concerns. In the land development process, the ombudsman's role is to improve information exchange and coordination between staff and interested parties.
- **Washington State** created an Information Center that is staffed by knowledgeable employees.
- **Charlotte, NC** has a "land development gatekeeper" who checks applications for completeness.
- Several places have a single point of responsibility for building permit reviews, including **Columbus, Ohio, Chicago, Ill., Tampa, Fla., and Salisbury, Mass.** This contact coordinates the applicant's efforts to apply for the necessary permits.

Highlight location: Sonoma County, Calif.

Sonoma County's Permit and Resource Management Department created an ombudsman position, an agency staff member whose sole purpose is to be a single point of contact for customers needing assistance with permitting. The ombudsman provides customer service on individual projects and facilitates process improvements by working within and across divisions. The goal is that these improvements will result in a more user friendly process for both customers and staff.

Sources of information

- Sonoma, Calif. ombudsman webpage
<http://www.sonoma-county.org/prmd/docs/misc/ombudsman.htm>
- Utah: Office of the Property Rights Ombudsman
<http://propertyrights.utah.gov/land-use-and-development/>
- Massachusetts: State Expedited Permitting—43E
<http://www.mass.gov/hed/economic/eohed/pro/zoning-and-permitting/state-permitting-43e/chapter-43e-expedited-state-permitting.html>
- Maricopa County, Ariz.: Planning and Development Department, Ombudsman Office
<https://www.maricopa.gov/planning/ContactUs/Ombudsman.aspx>
- Washington State: ORIA Information Center
http://www.oria.wa.gov/site/alias_oria/378/default.aspx
- Charlotte, NC: Applying for a Storm Water Management Permit
<http://charmeck.org/stormwater/regulations/pages/swmanagementpermitapplicationprocess.aspx>
- Tampa, Fla.: Development Services
<http://www.tampagov.net/construction-services/programs/development-services>

- Chicago, Ill.: City of Chicago Standard Plan Review
http://www.cityofchicago.org/city/en/depts/bldgs/provdrs/stand_plan.html

Establish a reliable mechanism for funding building services

Budget shortfalls are a commonly cited reason for lack of adequate staffing to process development applications quickly. In Columbus, Ohio, the Building Services department and industry worked together to arrive at a solution: revenue from development services are dedicated to funding the services and are independent of the city's General Fund. This strategy ensures that application fees are dedicated to providing the service, rather than subsidizing other city departments.

Highlight location: Columbus, Ohio

In *Columbus, Ohio*, an MOU between the city's Building Services department and industry signed in 2001 specifies that the city will be responsible for maintaining appropriate staff levels, appropriate training, and overtime or contract services to cover peak periods. Beginning in 2002, the city budget includes a special revenue fund for development services that are only for and from development services, separate from and independent of the city's General Fund. Development fees are reviewed and adjusted annually to generate sufficient revenue to fund the cost of development services.

Sources of information

- City of Columbus: Building Services MOU
<http://columbus.gov/bzs/information/Building-Services-MOU/>

Case Study: Dallas

The Great Recession hit the City of Dallas' budget hard, particularly in the Building Inspections Department. The number of staff dropped by half during the downturn, and as the city emerged from the recession in FY 2010-2011, wait times for walk-in assistance at the Building Inspections Department counter correspondingly rose to nearly an hour. In response, the city and the building industry worked together to create a Gold Card to speed the permit process for qualified builders. Since then, the city has made a broader effort to improve efficiency with a development review process enhancement initiative that includes adopting new technology to streamline the inspection process.



Gold Card program

With much-reduced staff and long wait times at the Building Inspections Department, builders who regularly needed permits and other city reviews and approvals found themselves spending a significant portion of their time waiting in line. In particular, builders who were familiar with the city's processes and arrived at the counter fully prepared often experienced lengthy waits behind people much less familiar with the process, who needed a great deal of assistance.

"We were struggling coming out of the recession," said Phil Crone, Executive Officer of the Dallas Builders Association. "... They were having a big issue with the lines backing up, and the delays were continuing to add up with plan reviews."

In response, the Dallas Builders Association worked with the city of Dallas over the course of two years to create an expedited permitting program for qualified builders.

"The thought was that certain builders who didn't need as much hand-holding, could we have a class that they could demonstrate that they had aptitude in the City of Dallas' process? Could we have ... an express line to get them through?" said Crone.

The Gold Card program, as it is called, allows members specific privileges. Members can:

- Schedule appointments online for residential plan reviews of new construction and additions;
- Receive a permit status notification by 4 pm for residential plans dropped off by 9 a.m.; and
- Have priority walk-in for residential plan reviews of new construction and additions.

To qualify for a Gold Card, applicants must have received at least one residential permit with a minimum total valuation of \$1 million or received at least 2 residential permits with a minimum total valuation of \$500,000. They must also take a two-hour training course on administrative

"A recent recipient of the Gold Card walked in with plans and 45 minutes later walked out of the city offices with a building permit in hand."

- Phil Crone, Executive Officer
of the Dallas Builders
Association

codes, policies, and procedures. About 50 builders have gone through the process to qualify for a Gold Card membership to date.

Crone explained that the Gold Card is a privilege and not a right, so members who abuse the system or are late to appointments or miss deadlines could have the membership revoked.

The Gold Program is considered a success by both builders and the city, with a permit process that takes a day or less compared with two weeks or more. “A recent recipient of the Gold Card walked in with plans and 45 minutes later walked out of the city offices with a building permit in hand,” said Crone.

Increasing staffing

In addition to implementing the Gold Card program, the city of Dallas has gradually been able to replace staff laid off during the recession, hiring 41 building inspectors in FY 2013-2014 and 39 in FY 2014-2015. As a result, overall average wait times are now down to around 15 minutes.

Even more important than increasing overall staffing, however, has been hiring a knowledgeable Chief Building Official. Crone explained that the current Building Inspections Department administrator has the appropriate official certifications and experience and has a thorough understanding of the construction process, and that the building industry and the department now have a better working relationship as a result.



“Just having a building official who understands building ... it’s a pretty simple concept, but it was a novel concept in the city of Dallas,” said Crone.

Implementing technology tools

In addition to these efforts, the city of Dallas has undertaken a development review process enhancement initiative. The initiative has been led by a work group that includes representatives from multiple city departments, commercial developers, engineers, zoning consultants, planners, permit expeditors, and attorneys. The work group has been meeting regularly since September, 2014, and has held additional meetings with individual developers, architects, contractors, construction trade association representatives, and small businesses to identify issues.^{viii}

Among other things, the work group learned that projects that require multiple processes (such as zoning, platting, abandonments, construction permitting) are too unpredictable; improvement is needed on pre-construction infrastructure and site development review; and better coordination is needed on applications that must be reviewed by several divisions and departments.

One key success of the initiative to date involved providing iPads to field inspection personnel that include a “MyInspections” application. Inspection results are entered into a cloud-based server in real time so the builder can see them immediately. The application also includes a mapping component that enables builders to receive "inspector in route" notifications, so they can be on site when the inspector arrives.

The department has also implemented dashboard technology that provides daily tracking of Building Inspections activity. Two additional technology improvements are in process and are soon to be completed: an electronic document management system and an electronic plan review system.

In addition to these improvements to technology, the initiative has also resulted in instituting formal pre-development meetings to facilitate development and anticipate issues.

Results

The City’s efforts have made a noticeable impact on builders’ experience with development review processes. For builders with a Gold Card membership, the process of obtaining many types of permits has been cut from a two-week process to as little as 45 minutes in some cases.

Other results are equally impressive. For example, average walk-in wait times in the Building Inspection permit center in 2011-2012 were down significantly from the prior year and have dropped another 41 percent, from 27 minutes to 16 minutes. In addition, the majority of single-family permits are now issued same day, and most field inspections are now completed within 24 hours.^{ix}

The city’s efforts to improve efficiency are also continuing, with plans to improve the preconstruction infrastructure and site development review and approval processes at the top of the list.

Creating a Separate Process for Expedited Review

In addition to streamlining the standard review process, some locations create a process whereby proposals may also qualify for a separate, expedited review outside of the standard review process.

Expedited review is distinct from the streamlining/consolidation strategy grouping, in that the expedited review strategies in this section represent separate review processes that can be utilized when certain conditions are met, but they are not intended to replace or change the standard review process. The conditions that must be met for expedited review typically fall into three categories: expedited review for affordable housing projects, pre-approval based on self-certification, and expedited review for applicants who are willing to pay extra.

Expedited review for desirable housing proposals

Lengthy and complicated review processes represent an especially difficult challenge for affordable housing development. With a lower return on investment, affordable housing projects suffer disproportionately from the costs associated with regulatory delay. A result, fewer affordable housing units are built. In response to this challenge, towns and cities have adopted expedited review, often combined with other incentives such as fee waivers, for affordable housing proposals. Other housing features may also qualify a project for expedited review, such as green building or a target location.

Examples of places using the strategy

- **Austin, Tex.** allows builders of SMARTTM (safe, mixed-income, accessible, reasonably priced, and transit-oriented) housing to undergo an expedited review process, in addition to offering waivers for over 30 different fees in four city departments. Up to 1,500 units may receive full or partial fee waivers each year.
- **San Diego, Calif.** has implemented an ‘Affordable/Infill Housing and Sustainable Buildings’ program, which provides expedited permit processing for all eligible affordable/infill housing and sustainable building projects.
- **Santa Fe, NM** adopted fee waivers for housing built under the inclusionary zoning ordinance, the Santa Fe Homes Program.
- **Pinellas County, Fla.** adopted an expedited permit review process for affordable housing projects, in addition to offering a number of other incentives such as fee waivers and density bonuses. The expedited review process essentially moves affordable housing projects to the top of the queue for review.

The Community Development Department certifies proposals as affordable housing developments, provides vouchers for impact and review fee waivers, and monitors the certified developments to ensure compliance with regulations.

- *Montgomery County, Md.* has a ‘Green Tape’ expedited review process for affordable housing development.
- *Charlottesville, Va.* has an expedited permitting for affordable housing and also offers fee reductions for affordable housing developments.

Highlight location: Austin, Tex.

In Austin, the S.M.A.R.T.™ Housing Policy was adopted by the city council in 2000 to encourage the development of housing that is safe, mixed-income, accessible, reasonably priced, and transit-oriented. The policy lays out clear standards for each of these categories, which must be met for S.M.A.R.T.™ Housing certification. In addition, all S.M.A.R.T.™ housing developments must meet the minimum standards of the Austin Energy Green Building Program (GBP). Affordable housing proposals that meet these criteria are eligible for expedited review, fee waivers, and advocacy.

Ultimately, 4,900 S.M.A.R.T.™ housing units were constructed between the policy’s adoption in 2000 and 2005, with nearly 80 percent of these units being affordable to families at or below 80 percent of the Median Family Income (MFI). A 2004 survey showed that in the previous three years, the ratio of units affordable to families at or below 60 percent MFI increased by more than 25 percent.

The Austin Housing Finance Corporation takes the lead in administering the program. In addition, the Neighborhood Housing and Community Development Department acts to coordinate between other city departments to ensure the successful completion of S.M.A.R.T.™ housing developments.

Sources of information

- Austin, Tex.: S.M.A.R.T Housing™ Policy Resource Guide:
http://austintexas.gov/sites/default/files/files/Housing/Application_Center/SMART_Housing/smart_guide_0708.pdf
- Austin, Tex.: S.M.A.R.T. Housing™ ICMA Best Practices 2005
https://www.lakecountyfl.gov/pdfs/2025/SMART_Housing.pdf
- San Diego, Calif: Expedite Program Information Bulletin
<http://www.sandiego.gov/development-services/pdf/industry/infobulletin/ib538.pdf>
- Santa Fe, NM: Affordable Housing
http://www.santafenm.gov/affordable_housing
Pinellas County, Fla.: Affordable Housing Incentives Information Pamphlet
<https://www.pinellascounty.org/community/affordablehousingguide.pdf>
- Montgomery County, Md.: Department of Planning FAQ webpage
<http://permittingservices.montgomerycountymd.gov/DPS/customerservice/GreenTape.aspx>
- Charlottesville, Va.: Charlottesville City Council Join Work Session

http://www.albemarle.org/upload/images/Forms_Center/Departments/Board_of_Supervisors/Forms/Agenda/2014Files/0701/Agenda.pdf

Expedited review based on pre-approval

In some locations, architects and engineers who attend courses on city laws and codes are able to ‘self certify’ that their plans meet local codes and standards. The plans are either pre-approved or go through an expedited review process. In order to ensure quality and compliance, planning departments typically audit a certain percentage of self-certified plans.

Examples of places using the strategy

- **New York City** has a ‘Professional Certification Program’ where registered architects and professional engineers self certify that their plans are in compliance, reducing the time builders wait for permits through automatic plan approval. No additional training is required for self-certification. The city audits 20 percent of self-certified plans upon permit issuance.
- **Surprise, Ariz.** has a self-certification program that eliminates the need for plan review. For eligible projects, permits can be issued within five business days.
- **Chicago’s** self-certification program eliminates plan review and requires that the certified architect take full responsibility for code compliance.
- In **Phoenix, Ariz.**, an architect or engineer must meet a set of professional qualifications for self-certification. If an architect or engineer meets those qualifications, he/she is then required to attend several training sessions from the Phoenix Planning and Development Department. Once the self-certification process is completed, the program also eliminates plan review. The Phoenix Planning and Development Department has a dedicated webpage with clear sections on professional requirements, training handouts, project eligibility requirements, procedures and forms, self-certification training class registration, as well as contact information for a program liaison.

Projects that qualify for self-certification can be issued permits within one to five calendar days.

Sources of information

- New York City: Professional Certification
<http://www.nyc.gov/html/dob/html/development/procert.shtml>
- Surprise, Ariz.: Self-Certification Program for Building Permits
<http://surpriseaz.gov/index.aspx?NID=3137>
- Chicago: Self-Certification Program
http://www.cityofchicago.org/city/en/depts/bldgs/supp_info/an_overview_of_theself-certificationprogram.html

- Phoenix, Ariz.: Self-Certification Program
<https://www.phoenix.gov/pdd/self-certification-program>

Expedited review for an extra fee

Sometimes it is economically efficient for builders to pay extra for an expedited review process to avoid the costs associated with holding land while waiting to receive a permit. Some towns and counties have addressed this scenario with expedited review processes for those willing to pay extra. These processes utilize private sector consultants and off-hours permit agency staff capacity to ensure timely plan review.

Examples of places using the strategy

- In *Tualatin, Ore.*, building permit applicants may elect an expedited plan review that uses city staff working outside of regular work hours at an hourly rate of \$120. The applicant, architect, engineer, and contractor must all agree to be available during non-regular work hours and supply contact information for use during the plan review process. Expedited plan review is rotated among the building staff, and projects are assigned randomly to staff members.
- Expedited reviews in *Pierce County, Wash.* are similar, although a combination of Planning and Land Services staff (at \$100 per hour), third-party consultants (at \$124 per hour), and extra hires may be used for the expedited review. Expedited review charges are added to the application fee.
- *Fairfax, Va.* offers an Expedited Building Plan Review Program in which a permit applicant hires a private sector design professional from the county's Certified Peer Reviewer List to 'peer review' construction plans for code compliance. Reviewed applications are then given priority status in the building plan review process. The county reports that obtaining a permit under the Expedited Building Plan Review Program takes about half the time that it would under the standard review process.
- *Kirkland, Wash.* may contract for permit review services for expedited processing when requested by the applicant.

Highlight location: Kirkland, Wash.

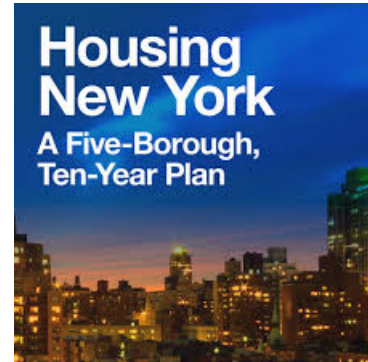
In Kirkland, Wash., upon request, the director of the department of planning and community development may approve expedited processing of an application. To prevent delays in other permit applications, the director may contract for permit review services. Any additional costs incurred by the city due to expedited processing (e.g., the contracted permit review services) are paid for by the permit applicant. A city ordinance was required to allow the director of the department of planning and community development to begin contracting for permit review services in this way.

Sources of information

- Tualatin, Ore.: Expedited Plan Review Application
<http://www.tualatinoregon.gov/building/expedited-plan-review-application>
- Pierce County, Wash.: Department of Planning and Land Services Expedited Review Agreement <http://www.co.pierce.wa.us/DocumentCenter/View/4300>
- Fairfax, Va.: Expedited Building Plan Review Program
<http://www.fairfaxcounty.gov/dpwes/epr/how.htm>
- Kirkland, Wash.: Expedited Review Ordinance
<http://www.codepublishing.com/wa/kirkland/html/Kirkland05/Kirkland0574.html#5.74.090>
- King County, Wash.: Department of Permitting and Environmental Review
<http://www.kingcounty.gov/property/permits/info/applying/consultants.aspx>

Case Study: New York City

The mayor of New York City saw such a clear connection between an efficient land development review and approval process and affordable housing development that he made it one of the key strategies for increasing production of affordable housing in the city's housing plan created in 2014, *Housing New York: A Five Borough, 10-Year Plan*. The plan sets a goal of creating and preserving 200,000 units of affordable housing over the next 10 years and fostering strong, economically diverse neighborhoods across the five boroughs.



New York City 10-Year Housing Plan

Among other strategies to encourage affordable housing production and preservation, the housing plan includes both streamlining and zoning reform to speed the process and reduce costs for developers.

Specifically, the plan calls for the city to:

- Reform zoning, building and housing codes, and other regulations to lower costs and open development opportunities;
- Streamline interagency coordination, including upgrading technology, to simplify and expedite development approvals and permits;
- Implement new rules to provide greater predictability and transparency to the pre-certification review of land use and environmental review applications; and
- Speed up the City Environmental Quality Review process and improve coordination among agencies.^x

Other key strategies for producing and preserving the 200,000 affordable housing units include implementing a mandatory inclusionary housing program; protecting tenants and stemming the tide of rent deregulation; adopting a more strategic approach to preservation; piloting a program to incentivize energy efficiency retrofits for affordable housing in need of preservation, creating energy savings and long-term affordability; developing affordable housing on underused public and private sites; creating new programs to develop small, vacant sites; and introducing new mixed-income programs.

"This new system was very much designed to ... speed up the process and to really harness technology."

- Libby Rohlfing, HPD Director of Communications

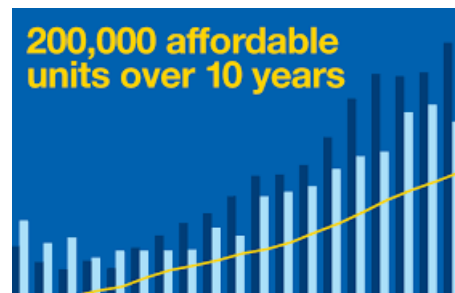
In order to implement the *Housing New York* plan, the Mayor's 2015 budget provided for increased staffing at the Department of City Planning and the Department of Housing Preservation and Development (HPD).

The effort to implement the streamlining and zoning reform strategies included in the plan were led by a task force. The task force's first steps were to solicit input from industry stakeholders about how to consolidate and streamline the permitting and review processes across agencies in order to reduce costs and avoid delays for developers.^{xi}

Based on this input, the task force created a series of initiatives. Two examples of these initiatives that demonstrate how the city is operationalizing the ten-year housing plan are the efforts made to date in streamlining inclusionary housing projects, and in a new e-permitting system called eSubmit.

Streamlining inclusionary housing projects

Some of the city's streamlining efforts were focused on inclusionary housing projects. The city replaced a lengthy, often iterative design and architectural review process with a system that uses an architect's certification, combined with random audits, to ensure compliance with a reduced set of design requirements.



HPD Commissioner Vicki Been reported on results to stakeholders: "As a result, in the first nine months of FY15, we closed on 1,663 affordable units, more than the Program produced in any fiscal year since 1988, the start of the Program."^{xii}

BLDS eSubmit for affordable housing projects

Perhaps the most significant change to the process is the adoption of an electronic submission and review system called Building and Land Development Services (BLDS) eSubmit. HPD and the NYC Department of Buildings (DOB) collaborated to adopt the technology, which allows both agencies and the developer to review the architectural drawings.

Referring to the old process, Libby Rohlfing, director of communications at HPD, said, "...These things aren't always transparent. It takes a long time, there are so many different city agencies you need approval from, and it's hard for architects and developers to even know which department has their plan and where they are in the process. This new system was very much designed to be responsive to those concerns and to speed up the process and to really harness technology."

In addition to eliminating the need to print large sets of drawings or plans because of electronic submissions, applicants can also see where they are in the process. Email messages will be sent to project stakeholders during each project milestone.

BLDS eSubmit also makes comments more clear and concise because they can be added directly on the plans/drawings instead of in a BLDS memo.

“As opposed to a long memo, it’s more visual,” said Rohlfing. “They can actually see what comments are being made by the agencies on their drawings.”

The system also increases coordination with the DOB, which will reduce plan processing times, eliminate duplication of efforts, and ensure greater consistency within BLDS and between the agencies.

As of August 15, 2015, all projects requesting a design review of the initial submission of new construction projects must be submitted through BLDS eSubmit. This includes projects participating in any of the New Construction Finance loan programs, Supportive Housing Loan Program, Senior Affordable Rental Apartments Program, and Inclusionary Housing Program. BLDS eSubmit will eventually be used for preservation projects as well.

Implementing Online Permitting

Technology innovations have revolutionized the land development review and approval process in the towns and cities that have made investments in information technology infrastructure. Online building permit systems allow applicants to submit application materials 24 hours a day, seven days a week, via an online portal. The systems often consolidate multiple databases used across departments into one, making it easier to share information.

Some are quite limited in scope; others cover virtually all aspects of the development review and approval process, including researching property parcels, submitting building plans electronically, and scheduling inspections. For example, *Chicago's E-Plan*, *Denver's E-Plan*, *Manatee County, Fla.*, and *Scottsdale, Ariz.* all allow builders to submit plans electronically.

Other systems equip field inspectors with iPads so inspection results can be entered into a cloud-based server in real time for the builder to see. Some even include real-time inspection arrival notifications; a mapping component of the system enables builders to receive "inspector in route" notifications so they can be onsite when the inspector arrives.

Some systems make online permits available only for limited project types. For example, in *Cary, NC*, permits are only available online for projects that are not required by the North Carolina State Building Code to have a plan review. Projects requiring plan review have to go through the traditional application process. Similarly, in *New Castle, DE*, only residential permits that do not require a plan review and/or gas test are eligible. Other electronic permit systems accommodate a much wider range of projects. For example, ePlan in *Chicago* is used for any residential project with 40 units or fewer.

Examples of where the practice is being used

- The *San Francisco* Planning Department and the Department of Building Inspection are implementing an online project and permit application and tracking system. The project will consolidate multiple database systems into a single city-wide permitting system. It will allow users to track planning applications and building permits, file certain applications and permits online, and search for general property information. The system will allow fees to be paid online, and building inspectors will be able to post results online immediately.
- *Pierce County, Wash.* Planning and Land Services (PALS) online permit system allows users to apply for permits, schedule inspections, pay fees, research a property parcel, access related documents, see review times, and get up-to-date status information.
- *Montgomery County, Md.* offers eServices, an online application and permit information database. Users can obtain the history and status of permits, request information, schedule inspections, apply for permits, and submit plans. In the future, the system will

allow users to pay fees and receive permits online as well as submit and track documents. Eventually, the system will be mandatory; as of June 30, 2014, applicants submitted 44 percent of applications for new home building permits using ePlans.

- For traffic reviews, the *Delaware* Department of Transportation (DelDOT) created a shared computer application using SharePoint software that allows applicants and staff to track subdivision application status and comments. The software also allows plans to be accepted electronically and allows DelDOT to track time and where applications are in the process in order to see how long it takes staff to review submissions. DelDOT's goal is to reduce its review time to 60 business days.
- *Sacramento, Calif.* adopted software that digitizes the submittal, review, and approval process for building plans. Staff can incorporate document review and markups into the software, which automates, organizes, and tracks the reviews. The software adoption was part of the city's Sacramento Streamline initiative.
- *Burleson, Tex.* posts inspection schedules and results on its website daily. Permit applications may be submitted by email.
- A number of other locations have also invested in off-the-shelf online permitting systems, such as Accela Land Management. In addition to online permit applications, electronically uploading drawings, and permit status information, the system also allows inspectors to work from a mobile device and plan their schedules from a map, reference all the information they need, create and print reports in the field, and sending real-time results and information to the agency and the customer. Locations using software packages like Accela Land Management include: *St. Louis County, Mo.; Omaha, Neb.; Charlotte County, Fla.; Bernalillo County, NM; Lincoln, Neb.; Cleveland, Ohio; McAllen, Tex.; Nogales, Ariz.; Palo Alto, Calif.; Sacramento; Maricopa County, Ariz.,* and *San Francisco.*

Highlight location: Cape Cod, Mass.

Cape Cod's regional commission, the Cape Cod Commission, used funds from a Massachusetts Community Innovation Challenge Grant to work on an ePermitting, Licensing, and Inspection System. The online system will allow Cape Cod municipalities to issue and monitor permits, licenses, and inspections with a web-based portal. It allows users to apply and pay for building permits both online and at kiosks. The system also has mobile functionality that allows inspectors using tablets to quickly complete and submit inspections and complete onsite plan review, including side-by-side plan comparison.

The system will implement a common technology infrastructure and software to be adopted regionally but be tailored to each town. One goal is to eliminate redundant individual purchases and save public municipal funds. The system currently includes three towns and will add two more in the next fiscal year.

Sources of information

- San Francisco: Permit and Project Tracking System
<http://sf-planning.org/index.aspx?page=3340>
- Pierce County, Wash.: Online Permit System
<https://www.co.pierce.wa.us/index.aspx?nid=909>
- Montgomery County, Md.: Department of Permitting Services
<http://permittingservices.montgomerycountymd.gov/dps/eServices/AboutServices.aspx>
- New Castle County, Delaware: Application and Permitting Process for Land Use and Development
http://www.cbuiding.org/sites/default/files/CBI_Delaware_Permitting_Report.pdf
- Sacramento, Calif.: Sacramento Streamline
<http://www.cityofsacramento.org/Community-Development/Resources/Sacramento-Streamline>
- Accela Land Management Software
<https://www.accela.com/solutions/land/inspections>
- Cape Cod Commission: Creating Online Systems for Smarter Government
<http://www.capecodcommission.org/index.php?id=72>
- Chicago, Ill.: Standard Plan Review
http://www.cityofchicago.org/city/en/depts/bldgs/provdrs/stand_plan.html
- Denver e-Plan
<http://www.denvergov.org/developmentservices/DenverDevelopmentServices/HelpMeFind/SiteDevelopmentPlanReview/tabid/436366/Default.aspx>
- Manatee County, Fla.: Building and Development Services
<https://www.myanatee.org/home/government/departments/building-and-development-services/electronic-plans-review.html>
- Scottsdale, Ariz.: Digital Submittal Program
<http://www.scottsdaleaz.gov/building-resources/digital>;
<http://www.scottsdaleaz.gov/building-resources/one-stop-shop>
- Cary, NC: Building Permits Online
http://www.townofcary.org/Departments/Inspections_Permits/Building_Permits_Online.htm
- New Castle, Del.: Online Permit Services
<http://www.nccde.org/186/Online-Permit-Services>
- Burleson, Tex.: Development Services Department
<https://www.burlesontx.com/24/Development-Services>

Creating Accountability

Several strategies for improving the efficiency of the land development review and approval process involve increasing accountability—shining a light on the process by making it public. These include reports posted on town websites of average permit processing time, online permit tracking, customer satisfaction surveys, and raises and promotions for agency staff that are tied to specific performance metrics related to efficiency.

“You get what you watch.”

*-Bob Kaufman, Senior
Vice President Maryland
Building Industry Association*

As Bob Kaufman, senior vice president of the Maryland Building Industry Association said, “You get what you watch.”

Annual report including statistics such as average approval time

Rather than mandating a specific timeframe for review—which some argue may not be enforceable—some locations produce regular reports that document performance, such as the number of permits issued, process improvements made during the year, and average review times for different types of permits. Making this information public is reported to reduce permit processing times by drawing attention to the level of efficiency—or lack thereof—of a permitting department.

Examples of where the practice is being used

- **Clark County, Nev.** regularly publishes reports on average permit processing times and posts them on its website.
- The **state of Washington** mandates that local jurisdictions act on permit applications within a specified timeframe and publish annual reports on the number of permits processed within this timeframe.
- In **Denver, Colo.**, target timelines for site development plan reviews are published along with current actual expected timelines. When timelines exceed targets, the city responds by increasing staffing, either temporarily (by approving overtime or outsourcing some reviews) or permanently (by hiring).
- Some cities, such as **San Francisco** and **New York City**, issue an annual report that includes the number of permits issued but not processing times.

Highlight location: State of Washington

In Washington, state legislation SHB 1458 required local jurisdictions to act on permit applications within 120 days unless additional time is needed, and written findings are made to justify the additional time needed. In addition, 2004 House Bill 2811 requires jurisdictions to report annually on permit processing performance. These reports are posted on local jurisdictions’ websites.

Median start-up costs for tracking and reporting permitting timelines were reported to be \$2,000, which included software upgrades or new systems and staff time, which also sometimes included consultant time. Annual ongoing costs, reported to be a median of \$1,000, included similar expenses.^{xiii}

Sources of information

- Clark County, Nev.: Clark County Building Department Plan Review Timelines Report http://www.clarkcountynv.gov/Depts/development_services/plan_review/Plan%20Review%20Service%20Timelines/2012%20Plan%20Review%20Service%20Timeliness%20Reports/Plan_Review_Service_Timelines_Aug2012.pdf
- Washington State: Local Government Project Permitting <http://mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/GovDocs/W3permitting.pdf>
- Denver: Site Development Plan Review <http://www.denvergov.org/developmentservices/DenverDevelopmentServices/HelpMeFind/SiteDevelopmentPlanReview/tabid/436366/Default.aspx>
- New York City Buildings: 2012 Annual Report <http://www.nyc.gov/html/dob/downloads/pdf/2012AnnualReport.pdf>

Online permit progress tracking

Online permit progress tracking adds transparency to the land development review and approval process by providing real-time information that builders can check at any time to see the progress of their applications. These are almost always used in conjunction with—or built into—online permitting systems. Alternatively, they may be part of a buildings database that combines permit tracking with other building information such as complaints, inspections, and code violations.

Examples of where the practice is being used

- *Massachusetts* created a tracking system and provides it free to Massachusetts towns and cities.
- *New York City*'s Buildings Information System not only provides data on the progress of building permits but also contains data about all buildings in the city including complaints, inspections, code violations, and accounting information.
- *San Francisco, Calif.*'s Permit & Project Tracking System (PPTS) combines multiple database systems into a single permitting system. PPTS will allow users to track planning applications and building permits online, file certain types of applications and permits online, file complaints, and search for general property information.

- **Sacramento, Calif.**'s Building Permit Tracker provides information on pending building permit applications, issued permits, and property-specific building permit histories. Applicants can use the system to track the application and permit through the approval process including submittal review, plan review, and field inspection. They can receive auto notifications via email when building permit activity occurs at a specified property.
- **Goodyear, Ariz.**'s system allows inspectors to input correction notices into their laptops in the field following an inspection, which become available to the contractor through a system on the city's website.
- **Pierce County, Wash.**'s online permit system allows users to search for applications and permits, get up-to-date status information, pay fees, schedule and/or cancel inspections, apply online, access related documents, sign up for eNotifications, and see review times.
- **Redmond, Wash.**'s E-Track portal integrates permitting, inspections, business licensing, citizen request, land use planning, and project review.
- **Mukilteo City, Wash.** is implementing an electronic permit tracking system that also includes GIS integration, code compliance tracking, inspection modules, standard and custom report capabilities, online public information, and a project tracking web portal.

Highlight location: State of Massachusetts

The Massachusetts Permit Regulatory Office developed a database program to track local land use permits and generate reports, forms, and permits. The Municipal Permit Tracking System (MPTS) is provided free to Massachusetts towns and cities to help them comply with best practices outlined by the Massachusetts Association of Regional Planning Agencies. The software provides links to GIS and facilitates workflow and departmental teaming.

Sources of information

- Massachusetts' Municipal Permit Tracking System provided free to towns and cities
<http://www.mass.gov/hed/economic/eohed/pro/tools/municipal-permit-tracking-system.html>
- New York City's Buildings Information System
<http://www.nyc.gov/html/dob/html/bis/bis.shtml>
- San Francisco's Online Permit and Complaint Tracking System
<http://sf-planning.org/index.aspx?page=3340>
<http://dbiweb.sfgov.org/dbipts/default.aspx?page=AddressQuery>
- Sacramento Building Permit Tracker
<http://portal.cityofsacramento.org/Community-Development/CDDNews/Sacramento-Streamline/Sacramento-Streamline>
- Goodyear, Ariz., "Building Permit Programs in West Valley Cities"
<http://www.azcentral.com/story/news/local/peoria/2014/05/13/west-valley-cities-permitting-process-goodyear-peoria-glendale/2138610/>

- Pierce County, Wash. Online Permit System
<http://www.co.pierce.wa.us/index.aspx?NID=909>
- Redmond, Wash. E-Track Portal
<https://land.redmond.gov/CAP/Public/Main>
- Mukileteo, Wash. Permit Tracking Software (Paladin Data Systems Corporation)
<http://www.ci.mukilteo.wa.us/files/ab-2009-04-20-037.pdf>

Customer satisfaction surveys

Customer satisfaction surveys are one of the most useful performance management tools within the business world. Increasingly, public institutions are adopting private-sector business practices. The permit approval departments in some locations have followed this trend by implementing customer satisfaction surveys in order to gauge department performance. In Leesburg, Va., the survey was used to gauge customer perceptions about a single permit overhaul initiative. In the other locations, the survey is ongoing and encompasses a multitude of public permitting departments.

Surveys are typically administered through the town or county's website.

Examples of where the practice is being used

- The Town Manager's office in **Leesburg, Va.** conducted a survey one year after the town's permit review process was overhauled, with the purpose of gauging customer satisfaction with the new review process. All developers, property owners, consulting engineers, and land use attorneys associated with active applications received the survey.
- The city of **Fort Wayne, Ind.** teamed up with a number of private and non-profit partners to identify challenges affecting the housing environment and come up with policy solutions. One solution was to improve customer service at the permitting department by implementing customer satisfaction surveys. Anyone can now take the survey via Fort Wayne's website, which encompasses ten different public permitting departments.
- **New Castle, Del.**'s Department of Land Use hired a non-profit organization to carry out an assessment of challenges with the permitting process. Among the recommendations was adoption of performance measures/feedback mechanisms, including customer feedback surveys. Builders, homeowners, and people with a business interest can now take a customer satisfaction survey via the Department of Land Use's website.
- The **San Francisco** Planning Department has implemented an online customer satisfaction survey that customers may submit online, or print out and mail in. The survey includes questions on waiting time, staff courtesy and knowledge, and overall experience.
- **Denver** currently has an online customer survey that has sections asking respondents to rate the relevant plan review and permitting services, inspection services, and other services.

Sources of information

- Leesburg, Va.: Land Development Process Improvements, 2011 VML Achievement Awards
<http://www.leesburgva.gov/Home/ShowDocument?id=8024>
- Fort Wayne, Ind. Survey
<https://www.surveymonkey.com/r/?sm=581bY35S%2bNkUI47ZRSQksnzh1Xu8i%2f4XDMJR3iiMI0Y%3d>
- New Castle, Del.: Online Permit Services
<http://www.nccde.org/186/Online-Permit-Services>
- San Francisco, Calif.: Planning Information Center Survey
<http://www.sf-planning.org/index.aspx?page=4209>
- Denver, Colo.: Community Planning and Development Customer Survey
<https://www.surveymonkey.com/r/?sm=y%2fyHd3jlERDy4CHoWJcR3Q%3d%3d>

Case Study: Montgomery County

Close collaboration between government and industry, unbiased third-party evidence, and viewing process improvements as an ongoing effort have been key ingredients of Montgomery County's recent efforts to improve efficiency in the land development review and approval process. Continual efforts to make the process efficient are particularly important in Montgomery County, where the planning and approval processes are split between agencies that report to different levels of government.



'Stymied by the process'

Following the recession, a series of events highlighted inefficiencies and high costs in the land development review and approval process in Montgomery County.

One of these was simply consensus among stakeholders that the process had become unwieldy, perhaps in response to criticism that development oversight was too lax. Specifically, there were concerns in 2005 that the Maryland-National Capital Park and Planning Commission (M-NCPPC) allowed development in Clarksburg, Md., that was too tall and too close to the road. To address these concerns, M-NCPPC increased its scrutiny, and the process became more involved and slower.^{xiv}

In addition, Montgomery County has a complex structure of planning and permitting. M-NCPPC is a bi-county state agency responsible for preparation of master plans, approval of subdivisions, site plans, and project plans. Executive branch agencies such as the Department of Permitting Services, which are part of county government, are responsible for everything else except for plumbing permits, for which yet another bi-county agency has responsibility.

Perceptions of a costly and inefficient process were supported by a report done in 2011 by JBG, a local builder, that compared expenses associated with development in Montgomery, Arlington, and Fairfax Counties.^{xv} The report came in response to a request from the Montgomery County Department of Economic Development and showed that the development process in Montgomery County was slower and more expensive than those in nearby counties—particularly Fairfax County, VA, and Arlington County, VA—and that Montgomery County could be losing the local competition for jobs and housing as a result.

Some key issues were laid out in a 2013 letter that Bob Kaufman, government affairs director at the Maryland Building Industry Association, wrote to county council members:

Currently it takes over 18 months to get a preliminary plan approval in the County and over 30 weeks to get a record plat approved after a preliminary plan has been approved. For a normal, non-controversial subdivision application where the land has the necessary zoning in place, it can take three

years to go from concept planning to record plat for commercial or residential development. This clearly adds costs and uncertainty to investments in the County placing the County at a competitive disadvantage with our neighbors.^{xvi}

Diane Jones, director of the Department of Permitting Services in Montgomery County, agreed with that assessment. “We were hearing that people were sort of stymied by the process,” she said. “It takes years to get to a certain point. The state had many new laws, and there were a lot of processes to address these. I think that over time, the onion and its layers just kept getting bigger and bigger.”

The issue took on added urgency when planning and permitting officials realized they could not promise a one-year permitting process to a business that would have brought new jobs to Montgomery County.

‘Open and transparent’ process and close collaboration between government and industry

In response to the mounting evidence of an unwieldy process, the County Executive issued an invitation for a cross-agency streamlining group to look at how to get through the development entitlement permitting process from concept to occupancy more efficiently. The Cross-Agency Streamlining Development Initiative was launched in April 2012. The focus of this collaborative streamlining effort was to identify and implement improvements that yield time and cost savings for both the development industry and the public agencies.

Throughout the process, the cross-agency streamlining group emphasized collaborating with stakeholders. At the beginning, there were concerns that there might be retribution for stakeholders who made comments about the process. “We had to get past that,” said Jones. “We wanted to be open and transparent, and we had to build trust.”



The process started with a “listening tour” of conversations with stakeholders. Further information-gathering steps included public forums, a survey that allowed respondents to comment anonymously, and facilitated roundtable discussions. Builders, lawyers, engineers, architects, and representatives from wet and dry utilities, the Department of Transportation, and others were involved throughout the process. In all, the initiative identified 67 issues. Following these discussions, industry and government worked together to identify process improvement suggestions.

Work groups that included stakeholder representation met to develop, assess, quantify, and rank options for streamlining solutions. For example, the Record Plat Committee found that record plat approvals took 20 to 30 weeks to be approved, despite an established benchmark that the process should take no more than 14 weeks. Other parts of the process, such as approval for a preliminary plan, were even longer.

Real-world financial impacts highlight importance of efficiency

Work groups made efforts to identify areas of agreement among agencies for streamlining. One piece of information that brought home the message of the importance of process efficiency was a pro forma that demonstrated the real-world financial impacts of an inefficient process. An economic impact analysis commissioned by the Department of Permitting Services showed that shortening the time from concept to occupancy by a year could save a business as much as 20 percent of the project cost. A financial analysis done by Kaufman showed similar results but was framed in terms of property values: adding a year to the review and approval process could reduce the value of a property by 20 percent.

“The savings were pretty impressive,” said Jones. “The important point is that for businesses, this is money that is never recouped. The lost revenues or ROI [return on investment] from delay, you can never recover.”

In addition to impacts on property values, builders also pointed out that there were significant costs to the county:

- lower property values reduce the property tax base,
- less development means recording fees drop, and
- a lengthy process means that payments on impact taxes do not come in as quickly as they might otherwise.

Strategies implemented

The streamlining initiative implemented a number of strategies to improve the efficiency of the process. One “game changer” for the process, according to Jones, was a revision to zoning ordinances that significantly reduced the circumstances under which a property had to apply for a special exception. In its zoning rewrite, M-NCPPC created a limited use category. As long as uses stay within a limited set of conditions, owners can operate as of right.

Gwen Wright, director of the Montgomery County Planning Department, emphasized the importance of changes that facilitate simultaneous reviews at various agencies rather than sequential reviews. She described changes requested by reviewers in later stages that would require approval from previous reviewers, thus sending applicants back to the beginning of the process. “It was like a do loop,” she said. “Let’s all look at the [application] together rather than doing it in a sequential way so that if there is a disagreement ... rather than putting the applicant in the role of having to run back and forth, we mediate that ourselves and move it forward.”

The initiative also resulted in other changes, including:

- **Process improvements:** Improvements were made to the Planning Board resolution process, development review committee, record plat review, and document processing. For example, since May 2012 the Planning Board, in many cases, is approving the resolution the same day as the development application. This can save as much as 4 to 6 months of time.

- **Performance metrics:** The zoning rewrite established standard timeframes for reviewing preliminary plans and site plans. For example, the maximum time allowed for intake review of a sketch plan, site plan, or major site plan amendment is 10 working days. An administrative public hearing must be held within 90 days of the date a sketch plan application is complete, and the planning board must provide a decision within 30 days of the close of the public hearing record. For site plans, the administrative public hearing must be held within 120 days of receipt of a complete application.
- **Accountability reporting:** A city council resolution passed in July 2013, No. 17-859, requires that the permitting agencies release a report with statistics on the number of plans submitted and approved, average review times for various application types, and a comparison of the current year's data to the previous year.
- **Improved coordination:** DPS and M-NCPPC improved coordination between permitting agencies via an MOU designating one agency as the final arbiter of decisions.
- **Technological innovations:** Agencies are in the process of instituting e-filing of most permits: e-plans were implemented in March 2013 for preliminary and site plans, and in July 2014 for record plats.
- **Increases in staffing:** DPS added five inspectors, established a policy of doing next-day inspections, and no longer charges for any needed re-inspections.
- **Expedited review:** Expedited reviews for affordable housing were introduced.
- **Assistance to applicants:** To facilitate better quality applications, permit agencies now post common design and application mistakes and publish approved ESD and road design standards.
- **Timing of fees:** In addition, impact fees are now required to be paid upon permit issuance, not permit application, saving builders the cost of capital during the permit process.

Noticeable results

Overall, the time required to get from concept to occupancy has been reduced significantly. Bob Kaufman estimates that the current timeframe for permitting is about 18 months, down from roughly three years. Timeframes in most parts of the process have been shortened or are in the process of being shortened. For example:

- An August 2015 report showed that there was no backlog at DPS for record plat reviews; in the past, backlogs had stretched to 8 weeks for a first review. The same report showed there was only a one-week backlog at M-NCPPC, down from 5 weeks. Record plats processing declined from 20 to 30 weeks or more to 8 to 12 weeks.
- An ordinance before the county council requires that review of preliminary plans be completed in 120 days (down from a year or more).
- A recently approved ordinance requires that the review of site plans be completed in 120 days, also down from a year or more.

- An executive order requires that building permits be approved in 30 days, as compared with the typical previous timeframe of 8 to 12 weeks.

Importantly, there was essentially no resistance from the community in response to the streamlining initiative. Kaufman attributes this to the fact that the focus was strictly on increasing efficiency and clarifying lines of authority, not on changing laws. He noted that by doing this, the process avoided raising public concern that builders were diminishing protection of public interests such as environmental and traffic concerns.

Continually improving process efficiency

Even after significant efforts to streamline the development review and approval process, there is continuing awareness of the length of the development review and approval process in Montgomery County.

“You need to do your tune-up regularly. This was a huge tune-up.”

*-Diane Jones, Director of
the Department of Permitting
Services in Montgomery County*

Unbiased, third-party evidence of this came from a July 2014 study by the Office of Legislative Oversight (OLO), conducted at the request of the Montgomery County Council.^{xvii} The study found that over the period FY 2010-2014, certain projects that are required to go through all stages of the review process could take more than three years to get approval. It also found that the median processing time for new preliminary plans, new site plans, and record plats exceed the limited timeframe guidelines or assumptions in County law or published in agency documents.

In the report, OLO recommended that the Council create an online system of benchmarks and processing time metrics to strengthen its oversight of regulatory land use approvals and shorten approval timeframes.

Kaufman agreed, noting that regular accountability reporting is important to the ongoing efficiency of the process. “You get what you watch,” he said.

Streamlining efforts are ongoing as the permit offices continue to implement e-filing and e-permitting, as well as instituting other changes.

“You need to do your tune-up regularly,” said Jones. “This was a huge tune-up.”

Making the Process More User Friendly

Much of the frustration related to land development review and approval involves the complexity of the process and the lack of information about what the steps are, what documents need to be provided at each step, and how long each step will take. The fact that most builders work in multiple jurisdictions, each typically with different processes and requirements, compounds the problem.

Comprehensive checklist of requirements accompanied by staff help

A simple way to clarify the process for applicants is to provide them with a comprehensive checklist of requirements at the beginning of the process. A flow chart that provides a visual representation of the process is also often provided. Some locations also provide a user guide.

In Washington, information is provided by a state agency about locations throughout the state. More commonly, individual land use planning and development departments develop checklists to provide to applicants. User guides or comprehensive checklists are sometimes available only for specific types of applications.

Examples of where the practice is being used

- **Brevard County, Fla.** provides an application package and guides at the one-stop permitting center. The packages include applications for specific project types, a document checklist needed to submit the application, and a listing of the local ordinances to which the project will be subject. Currently, packages exist for Additions and Alternations, Commercial New, Demolition, General Permitting and Installation, Manufactured Buildings, Minor Projects, and Single-Family Residence.
- **Columbus, Ohio** created a comprehensive guide to provide answers to hundreds of questions related to the development approval process.
- The cities of **New Rochelle, NY** and **Boston, Mass.** have created plain-language guides to explain their local development processes. These resources contain brief explanations of who the relevant city authorities are and answer frequently asked questions, such as what each board does, how to apply for hearings and appeals, what other agencies will be involved, and what happens when decisions occur.
- **Port Orchard, Wash.** provides builders with a comprehensive checklist of what is needed. Developers and/or builders come in for a pre-application meeting, lay out the scope of their project, and answer questions from staff about it so they can get a better understanding of it. Staff members provide the applicant a checklist indicating what materials are needed to get their permit. When the applicant returns with the checklist complete and the required materials in hand, the permit is issued on the spot.

- Cities including *Woodstock, Conn.* and *San Francisco, Calif.* publish regularly updated documents such as flow charts detailing requirements, timeframes, and actions required for completion.
- In *Washington*, the Governor's Office of Regulatory Innovation and Assistance (ORIA) has an online project questionnaire to help builders determine which local, state, or federal permits, licenses, or approvals their project might need. Based on answers to a series of questions about the project and site, the interactive questionnaire creates a customized list of permits. The questionnaire also identifies agency contacts for each permit and provides detailed information about individual permit requirements.

Sources of information

- Brevard County, Fla.: Planning and Development Building Permits
<http://www.brevardcounty.us/PlanningDev/AppsFees/BuildingPermits>
- Columbus, Ohio: Columbus Development Guide
http://columbus.gov/uploadedfiles%5CBuilding_and_Zoning_Services%5CDocument_Library%5CPolicies_Procedures_and_Guielines%5CDevelopment-Guide-2009.pdf
- New Rochelle, NY: Owning a House in a Local Historic District
<http://www.newrochelleny.com/DocumentCenter/Home/View/361>
- Boston Redevelopment Authority: Zoning
<http://www.bostonredevelopmentauthority.org/zoning>
- Port Orchard, Wash.: Residential Building Permit Checklist
<http://www.cityofportorchard.us/docs/planning/forms/form087.pdf>
- Woodstock, Conn.: Planning and Zoning
<http://woodstockct.gov/index.php/documentsforms/category/166-planning-zoning.html>
- San Francisco, Calif.: San Francisco Planning Department Permitting Process
http://www.sf-planning.org/ftp/files/publications_reports/SF-Planning-Permitting-Process-June2011.pdf
- Washington State: Office of Regulatory Innovation and Assistance
<http://www.oria.wa.gov/?pageid=404>

Create a 'development assistance department'

Some locations go several steps farther in smoothing the process than simply providing a comprehensive checklist, creating a development assistance department with the mandate of helping projects get started and helping to 'smooth bumps.' These departments provide liaisons to help customers navigate the city permitting and construction process and provide a consistent and reliable point of contact from start to finish. Development assistance departments are typically created by reorganizing city planning, inspection, permitting, and other staff.

Examples of where the practice is being used

- **Aurora, Colo.** created an “Enhanced Development Review” process in 2002. The city established an Office of Development Assistance, whose role is to help projects get started and smooth the process. Importantly, the Office of Development Assistance is separate from development review and other departments.
- **Fremont, Calif.** provides assistance to developers with site identification, marketing, and tenant screening.
- **Portland, Ore.**’s devTeam has a group of bureau employees known as Development Liaisons who are committed to helping customers navigate the City permitting and construction process. Each proposal is assigned a devTeam Development Liaison who acts as the City “project manager” throughout project development, from early design concept through final inspection. The Development Liaison is a single point of contact between the development team and the City permit review and inspection staff.

Highlight location: Aurora, Colo.

One builder described the change in the land development review and approval process in Aurora: “Not too many years ago, Aurora, Colorado was considered one of the most difficult places to process entitlements in Metropolitan Denver.” The process has dramatically improved since establishing a Development Assistance Department to advocate for development proposals. The city also made changes to allow for extensions to development approvals; allowed for more minor amendments to applications to be handled administratively; and implemented vesting provisions.

Sources of information

- Aurora, Colo. Office of Development Assistance
<https://www.auroragov.org/Departments/DevelopmentAssistance/>
- Fremont, Calif.: Housing Element Policy Best Practices
<http://www.abag.ca.gov/files/HLCHEToolkitFinal.pdf>
- Portland, Ore: devTeam Portland
<http://www.portlandoregon.gov/bds/48323>

Assist with quality of applications

A number of locations provide assistance with applications prior to submission, with the goal of increasing the quality of applications and minimizing the number of application resubmissions needed. The primary ways that locations help applicants submit complete, high-quality applications are through pre-application conferences to help guide developers through the process and offering lists of preferred consultants.

Examples of where the practice is being used

- *King County, Wash.* has an optional preferred consultant program, with the goal of making the permitting process more efficient and less costly to applicants.
- In *Yakima, Wash.*, prior to submitting an application, the applicant may arrange a conference with the department to review the proposed action, to become familiar with the policies, plans, and development requirements of the Yakima Urban Growth Area, and to coordinate all necessary permits and procedures.
- Other locations that offer pre-application conferences include *Montgomery County, Md.*, *Leesburg, Va.*, *Dallas, Tex.*, and *Port Orchard, Wash.*

Highlight location: King County, Wash.

King County has a preferred consultant program to help applicants submit higher-quality permit applications. Initially, the program only covered critical areas review. Later, site engineering and drainage review for single-family homes were added to the program, followed by short plat applications. Applicants can choose from a pre-approved list of consultants who meet the Permitting Department's criteria. These consultants have a track record of recent successful work, having met the county's criteria on at least three consecutive building projects. Consultants can be removed from the list if the criteria are not met during any single project review. Applicants can also choose a private consultant who does not participate in the preferred consultant program.

The goal of the program, developed in 2004, is to make the permitting process more efficient and less costly to applicants, with the idea that better applications result in less permit review time and fee savings for applicants.

Sources of information

- King County, Wash. Preferred Consultant Program:
<http://www.kingcounty.gov/property/permits/info/applying/consultants.aspx#criteria>
- Housingpolicy.org Policy Toolbox, Streamline the Approvals Process for New Development and Rehab
http://www.housingpolicy.org/toolbox/strategy/policies/expedite_permitting.html?tierid=27#1

Improve communication between government staff and developers with regular meetings

Home builders' associations in several cities have found that regular communication with city officials and staff improves communication, increases mutual respect, and provides a forum to discuss the development process and development requirements and to work together to identify solutions. Regular meetings are often initiated by the local home builders' association and then co-hosted by the home builders' association and the local

development services department, city manager, or some other local official. Cities and home builders have improved the development process in a variety of ways over time through these channels of communication.

Examples of where the practice is being used

- **Columbus, Ohio** conducts month meetings of the Building Services Review Committee, which includes representatives from the city and the building industry. The meetings provide an opportunity to discuss review process timeframes. Discussions have also helped to produce a common understanding about how requirements and codes will be applied, and provided a forum for industry to provide feedback about new policies and requirements being considered, discuss reasonable timeframes for implementation, and provide input into whether and how projects already in review should be grandfathered in to existing policies (see case study).
- **Aurora, Colo.** conducts monthly meetings every other month with the City/Development Community Joint Task Force. The task force includes representatives from all different areas of development, including the home builders' association, the apartment association, larger commercial developers, and retailers. Among other things, the city uses the meetings as a forum to discuss proposed changes, such as zoning code revisions, and get feedback on these changes from participants. Attendees with specific issues to discuss are also invited to add items to the agenda.
- In **Wichita, Kans.** members of the home builders' association and other stakeholders have met monthly with the city manager and heads of city departments involved in development since 2014. This developer's forum is intended to provide an opportunity to discuss issues related to development and how to resolve them.

Highlight location: Wichita, Kans.

The home builders' association in Wichita has been proactive in working to improve communication with city officials and staff, identifying issues and working together to resolve them to improve the development process. Wess Galyon, the president/CEO of the Wichita Area Builders Association, said issues related to the development process took on particular urgency after the recession, when unnecessary costs related to development could no longer be ignored because of the slowing economy.

One of the strategies used is regular meetings with city officials and staff to discuss proposed changes to city policies or procedures that affect development. In fact, the city's policy now dictates that changes to the development process will not be implemented until they have been discussed with industry to get feedback and input into the changes. Among other things, these ongoing discussions with city officials and staff have resulted in changes in infrastructure financing terms that reduce carrying costs for developers, and eased the terms under which a letter of credit can be released, which increases developers' financial flexibility. These discussions also led to the creation of a period of vesting for zoning.

In addition, the home builders' association has worked with the city to revise requirements for water quality management on development sites via members who serve on the city's stormwater advisory group. As an alternative to onsite water quality improvements, the city and industry have worked together to create an alternative that benefits the environment, the city, and developers.

As an alternative to onsite water treatment, developers can pay a fee into an enterprise fund used to prevent water pollution elsewhere. The fund is typically used to create improvements on agricultural land—such as terracing and no-till farming—that reduces agricultural runoff and the associated water pollution at a lower cost and at greater environmental benefit than water treatment specifically targeted to a development site. The fund is part of Kansas WRAPS (Watershed Restoration and Protection Strategy).

The alternative is particularly important for infill development, where smaller lots and high levels of surrounding hard surfaces make water treatment more difficult and costly. The approach therefore encourages reuse of urban lots and increases density, reducing demand for greenfield development.

Sources of information

- Columbus, Ohio: Department of Building and Zoning Services
<https://www.bx.org/bldginfo/columbus.html>
- Aurora, Colo.: Personal interview with Vinessa Irvin, Manager of the Office of Development Assistance, City of Aurora, October 15, 2015.
- Wichita, Kans.: Personal interview with Wess Galyon, President/CEO, Wichita Area Builders Association, December 1, 2015.

Case Study: Columbus, Ohio

The Building Industry Association of Central Ohio (BIA) launched an effort to increase the efficiency of the land development review and approval process in Columbus, Ohio, in 2001. The BIA worked with the city to negotiate and sign a memorandum of understanding (MOU) to govern the review and approval process. Among other things, it established timelines for city reviews, required regular reports on actual review times, and set regular meetings with industry representatives to review progress. Although the effort was not immediately a complete success, over time and with continued persistence, the process has continued to improve.



In addition to changes introduced by the MOU, the city has created a development guide to clarify the process and recently has made efforts to streamline the process with technology.

Memorandum of Understanding signed to govern the review and approval process

A development plan in Columbus in 2001 required 19 different signatures and approval from 7 different departments, in addition to any needed city council approval. At the same time, demand for single-family detached housing in the city was high because of a unique arrangement that allowed land to be annexed into the city of Columbus but served by suburban schools.

“The process was cumbersome to say the least,” said Malcolm Porter, a consultant for the BIA who was involved in the process of negotiating the MOU with the city at the time.

The BIA’s initial goals were to consolidate authority over the land development process, reducing the separate reviews being done by Public Utilities, Public Service for streets and trash, Building and Zoning Services, Public Safety, Recreation and Parks, and other departments.

This proposal met resistance from city departments reluctant to give up control over the process. “The compromise that emerged was this concept of an MOU to govern the process, to give guidelines to the process,” said Porter. “All of those entities retained their authority, but guidelines were put together in the MOU.”

Although the BIA’s effort did not ultimately succeed in consolidating authority, the city made significant efforts to streamline the process. Departments heavily involved in the review process such as utilities and the service department moved some full-time staff to a central location with development and zoning staff. Other departments with a minor role in the review process sent staff to the office periodically to conduct reviews.

“There was at least some consolidation of staff ... some efficiency in getting people colocated,” said Porter.

In addition to collocating some staff with land development review responsibility, the MOU also:

- Created a Building Services Administrator position to be a single point of responsibility and accountability for development services;
- Established a Building Services Review Committee consisting of both city and industry representatives to provide oversight of development services;
- Provided that the city consult with the industry before making fee, policy, rule, or procedural changes that affect it;
- Required the Building Services Administrator to establish and maintain a tracking system to identify and document processing time for plan/plat review/approval and permitting.
- Provided a mechanism for resolving inspection disputes;
- Required the Building Services Administrator to implement information technology enhancements; and
- Set timelines for reviews.

The MOU also established a special revenue fund that is independent of the city's General Fund to support development services. Development fees are reviewed and adjusted annually to generate revenue sufficient to fully fund the cost of development services.

"We do have relationships with people at the city that we didn't have before. Arguably that's the most important benefit that's occurred from the MOU."

*-Malcolm Porter,
Consultant for the BIA*

The city also saw the need for reform, particularly among review staff who also experienced frustration with the inefficiency of the process, often having to review the same plan multiple times.

"Those folks had that frustration," said Porter. "There was a fair amount of support for making change."

MOU created a structure for relationships to develop between industry and city leaders

One of the most positive developments to come out of the MOU has been constructive working relationships between the city and industry, although this has taken time and equal dedication to the process from the city and industry. These relationships have developed over time during monthly meetings of the Building Services Review Committee, which includes representatives from the city and the building industry.

"We do have relationships with people at the city that we didn't have before," said Porter. "Arguably that's the most important benefit that's occurred [from the MOU]. It has set up a structure that encouraged and almost forced relationships to develop."

During its monthly meetings, the committee reviews MOU data—reports on actual review process timeframes compared with the standards established in the MOU—to “get behind the data” and discuss what is driving the results.

These discussions have been important because, even with regular reporting of review timelines, there has still been frustration with the overall review process timeframe, particularly early on. Although MOU data have largely shown the city to be achieving the standards for review timeframes established by the MOU, some important portions of the timeframe are “off the clock,” which obscures an important component of the process.

“The timeframes are applicable for how long the city is doing its review,” said Jim Hilz, executive director of the Building Industry Association of Central Ohio. However, the timeframes do not include the process for resolving disagreements with comments that developers believe are incorrect interpretations of requirements and codes. “That kind of problem doesn’t get reflected in the MOU performance process, because that process happens off the clock,” he said. “If you have arbitrary and capricious reviewers, those folks are not necessarily held accountable by the process.”

The Building Services Review Committee meetings provide a forum for discussing these issues. As Porter explained, “Are there examples of developers who are pushing the envelope and engineering firms who don’t do quality plans? Absolutely. Are there examples of city reviewers who are just, I don’t like this, their own personal preferences? There are lots of examples of that.”

Over time, discussions about differences between reviewers’ interpretation of requirements and codes have helped produce a common understanding about how requirements and codes will be applied, and the result is that the process is more consistent and predictable.

The meetings are also a forum for industry to provide feedback about new policies and requirements being considered, discuss reasonable timeframes for implementation, and provide input into whether and how projects already in review should be grandfathered in to existing policies.

“We don’t always get what we want,” said Hilz, “But the private sector has the ability to plan for new and different policies. Before that, policies were being adopted in the middle of plan review. We’ve made a lot of progress there.”

Real success required both an MOU and responsive city officials

The success of the MOU took both a dedicated process and city department administrators who wanted to see real improvement in the land development review and approval process, which is something that was not immediately in place.

“The first eight years we were going through this process it was ... adversarial,” said Hilz. “But with some new directors who want to see this succeed, we’ve had success. It’s really about the people who want to make it work.”

One important turning point in the effectiveness of the MOU in improving efficiency was promotion of the director of Building and Zoning Services to a cabinet-level position in the city government in about 2009.

“That was a huge detriment to the MOU process working,” said Hilz. “You had someone who wasn’t a cabinet-level director trying to implement a process with people who had a higher position. It really made it difficult, almost impossible to do.” He said that changed when the director of Building and Zoning Services began reporting directly to Mayor. “It gave them the respect they needed to have.”

“I wholeheartedly think [the MOU is] the right thing, but underneath it all, it’s people’s attitude,” concluded Hilz.

Additional changes to the process

The city of Columbus is currently very focused on complying with the terms of the MOU, said Hilz. Building and Zoning Services’ strategic priorities for 2015 include maintaining ongoing communication among departments in meeting MOU compliance as well as cross-training staff on all aspects of the development process to meet MOU compliance.

In addition to this focus, the city created a comprehensive development services guide in 2009. It is designed to lead customers through the process and includes complete contact information for appropriate departments and commissions, an explanation of how and when to access each process, a chart for each process, and a glossary of important terminology.

The Building Services Division also worked with a consultant in 2008 to identify ways to streamline the development process and improve customer service. A key outcome of this process was implementation of a project management system to track and coordinate plan reviews.

The division is continuing to work to implement technology solutions. The city offers several permits for purchase online, maintains the Citizen Access Portal that allows customers to search for and track the progress of permits, provides an online zoning map, and allows inspections to be requested online. The city is now working to implement a system that allows plans to be submitted electronically.

Additional successes

In addition to improved relationships, a regular forum for discussion, standard timeframes, and regular reporting on the city’s performance in comparison with standards, the MOU has helped improve customer service.

“We used to have plans that would sit because the guy who was supposed to sign it was on vacation for three weeks,” said Hilz. “There was no thought to who is going to cover this person while they’re out. The MOU really shined a light on that. We don’t have that anymore.”

The MOU and other city efforts have also helped to streamline the process, although perhaps not to the extent the building industry would like. Porter reported that the number of required signatures is down from 19 to about 12.

State-Level Strategies

Several states around the country take steps to improve the permitting process at the local level by passing state legislation to improve the land development process, creating state-level organizations designed to assist local governments with the land development review and approval process, and providing resources to municipalities.

Create state-level agencies to provide assistance to local governments

Several states have created state-level regional planning or permitting bodies to provide assistance to municipalities. The specific roles and responsibilities of the agency can vary depending on the priorities and interests of the current governor as well as available funding levels. The resources offered by these bodies are typically voluntary and sometimes also offer assistance to permit applicants.

Examples of where the practice is being used

- In *Washington*, the Governor's Office of Regulatory Innovation and Assistance (ORIA) was established specifically to work with local governments and applicants to help improve development permitting processes. It works predominantly with developers to obtain environmental permits.
- The *Massachusetts Permit Regulatory Office* (MPRO) was created in 2006 to assist commercial, industrial, mixed-use, and housing development. MPRO's director is an ombudsman for developers with state permitting, licensing, and regulatory processes. The office also oversees a state expedited permitting program and provides infrastructure grants that help to facilitate commercial and housing development. The office primarily focuses on development in designated growth districts.
- *Utah's* Office of the Property Rights Ombudsman is staffed by attorneys who help parties understand and comply with land use and development laws and can help resolve disputes between governments and property owners. The office website also provides links to summaries of relevant land use laws and appellate decisions to citizens, property owners, and local governments.

Sources of information

- Washington's Office of Regulatory Innovation and Assistance
http://www.oria.wa.gov/site/alias_oria/368/default.aspx
- Massachusetts Permit Regulatory Office
<http://www.mass.gov/hed/economic/eohed/pro/>
- Utah's Office of the Property Rights Ombudsman
<http://propertyrights.utah.gov/>

Pass state legislation to improve the land development process

Some state legislatures, often at the urging of members of builders' associations, draft and pass legislation that directly affects the land development review and approval process at the local level. This legislation can include requirements that towns and cities report on performance in reviewing permit applications; limits on the length of time local governments have to review an application before a permit is automatically granted; and state rules that consolidate or streamline the public comment process.

Examples of where the practice is being used

- **Washington State** mandates that local jurisdictions act on permit applications within a specified timeframe and publish annual reports on the number of permits processed within this timeframe.
- **Washington State** also has a vested rights doctrine that states: "a land use application, under the proper conditions, will be considered only under the land use statutes and ordinances in effect at the time of the application's submission."
- The **Washington State** legislature passed statewide "regulatory reform" legislation for the purpose of simplifying and integrating the various state land use and environmental legislations. The legislation directed cities and counties to develop an integrated and consolidated project permit review process that: (i) Combines both procedural and substantive environmental review with project permit review; and (ii) Allows no more than one open record hearing and not more than one closed record appeal hearing on both the permit and environmental review, except for appeals of a SEPA determination of significance.
- The **Massachusetts** legislature passed Massachusetts General Laws 43D and 43E, both expedited permitting programs. 43D is a voluntary local expedited permitting program that offers incentives for local governments to streamline the permitting process in designated development areas, and 43E expedites state permits for development in specific growth districts. The program requires all state agencies, commissions, and departments involved in the Massachusetts Environmental Policy Act review process to take final action on a permit application within 180 - 210 calendar days or the permit is automatically granted.

Sources of information

- Washington State: Local Government Project Permitting
<http://mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/GovDocs/W3permitting.pdf>
- Washington State: MSRC Vested Rights
<http://mrsc.org/Home/Explore-Topics/Legal/Planning/Vested-Rights.aspx>
- Massachusetts 43E

<http://www.mass.gov/hed/economic/eohed/pro/zoning-and-permitting/state-permitting-43e/chapter-43e-expedited-state-permitting.html>

- Massachusetts 43D
<http://www.mass.gov/hed/economic/eohed/pro/zoning-and-permitting/43d/>

Provide resources to towns and cities

Several states provide resources to perennially cash-strapped towns and cities to improve the land development review and approval process. Sometimes funding is available to all municipalities requesting assistance; in other cases funding is provided on a competitive basis. This can come in the form of grants to implement new IT solutions, consulting and training on how to streamline the process, and aid to assist with the costs of required reporting on permit processing performance. Funding for infrastructure that helps to facilitate development is sometimes also provided.

Examples of where the practice is being used

- *Massachusetts* created a permit tracking system and provides it free to Massachusetts towns and cities.
- The *State of Washington's* Local Government Performance Center offers local officials the opportunity to attend the Lean Academy free of charge. During the approximately seven-day training, local government representatives learn principles, methods, and tools to develop a culture that encourages employee creativity and problem-solving skills. They spend the rest of the training mapping and redesigning the entire permitting process to improve efficiency.

Local governments that have participated in the Lean Academy in Washington have experienced substantial reductions in permitting approval times. Whatcom County's average processing time for residential permits dropped from 31 days to 9 days; Clark County's dropped from 45 days to 13 days; and Kitsap County's dropped from 26 days to 6 to 8 days (see case study).

- *Massachusetts'* MassWorks public infrastructure grants are designed to facilitate housing and economic development. Awards are made on a competitive basis, and funding has been provided for roads, sewers, increasing water capacity, and public transit.

Sources of information

- Massachusetts MassWorks
<http://www.mass.gov/hed/economic/eohed/pro/infrastructure/massworks/>
- Washington Local Government Performance Center summary document
<http://www.sao.wa.gov/local/Pages/LeanAcademy.aspx#.Vi-pgpYpDcs>

- Massachusetts' Municipal Permit Tracking System provided free to towns and cities
<http://www.mass.gov/hed/economic/eohed/pro/tools/municipal-permit-tracking-system.html>

Case Study: Massachusetts

Although Massachusetts is a home-rule state where local communities largely govern themselves, the State of Massachusetts has found several ways to work with communities to improve the efficiency of the permitting process. The State is also in the process of reviewing regulations to find appropriate, reasonable ways to achieve the intent of the law while facilitating business and housing development. Among other things, the state:

- (i) created the Massachusetts Permit Regulatory Office (MPRO), whose director is an ombudsman for developers with state permitting, licensing, and regulatory processes;
- (ii) has implemented local and state expedited permitting programs;
- and (iii) provides infrastructure grants that help to facilitate commercial and housing development.



Massachusetts Permit Regulatory Office

MPRO was created under Governor Romney's administration in 2006. Although the office was originally intended to assist commercial, industrial, and mixed-use development, as of 2012 it also supports housing development.

"It was designed to help facilitate government in a way that it would function at the speed of business," said Timothy Wilkerson, director of MPRO and the ombudsman. "We're there to facilitate discussions between the issuing agency and the developer to get an answer and get clarity and be a point of contact for private companies," he said.

"We don't go around the permit process," Wilkerson said. "It's just to facilitate, when people run into barriers that shouldn't be there."

In addition to helping developers get answers to questions about the permitting process, as ombudsman, Wilkerson also analyzes state regulations for their impact on commercial and housing development. In part because of this role, a number of changes have been made, particularly in environmental regulation. These changes have removed barriers and reduced timelines for development.

State leadership at the highest levels has been critical to encouraging smart regulatory reform. Governor Charlie Baker has made it a priority to be more business friendly and asked state agencies to think more practically about the regulatory process. One example Wilkerson cited is the Department of Environmental Protection. "They have done an incredible job rethinking their regulatory role and thinking about how now to be more nimble," he said.

State and Local Expedited Permitting, 43D and 43E

As a home-rule state, Massachusetts is not able to regulate or mandate changes in local policies. Because of this, Massachusetts relies much more on carrots than sticks to improve the efficiency of the land development process in the state. An example of this is Local Expedited Permitting, or Massachusetts General Law 43D.

Local Expedited Permitting is optional for Massachusetts municipalities. Participating governments designate priority development sites and then guarantee prospective developers a decision within 180 days of submission of a complete application. Designated sites are given priority for state resources, such as grants to make infrastructure improvements, brownfield remediation assistance, and workforce training, and are included in the state's marketing efforts.

Communities that opt in to 43D adopt best practices relating to the land development review and approval process. These include:

- Designating a single point of contact for streamlined permitting
- Amending local rules, regulations, bylaws, etc. to comply with 180-day permit timeline;
- Determining and make available the requirements for each permit;
- Establishing a procedure for identifying necessary permits for a project; and
- Establishing a procedure for determining completeness of the required submissions.

In addition to streamlined permitting for specific projects, one positive side effect from 43D is that communities have implemented best practices across their land development review and approval process generally. For example, Watertown, MA, adopted best practices specifically for encouraging development on 43D sites and then implemented them community-wide, which Erica Kreuter of MPRO reports has helped facilitate a boom in both commercial and housing development.

Areas that are designated both by a local government for 43D and by the State of Massachusetts as growth districts qualify for both local *and* state expedited permitting under Massachusetts General Law 43E. Growth districts or priority development sites are places the Commonwealth identifies as being priority areas for new development.

State expedited permitting is facilitated by the Interagency Permitting Board, which is chaired by the director of MPRO and includes representatives from state agencies including the Office of Consumer Affairs and Business Regulation, Housing and Community Development, Department of Transportation, Energy and Environmental Affairs, Department of Public Safety, MassDevelopment, and Labor and Workforce Development.

The permitting and approval process on these sites is efficient in part because the Board has pre-approved priority development sites. These sites must:

- Avoid environmentally sensitive areas;
- Have access to appropriate infrastructure such as water, sewer, and utilities; and
- Be accessible via existing roads.

State agencies are required to render a decision on projects on sites that qualify for state expedited permitting within 180 days. Public comments can extend that timeframe to 210 days. In part to help state agencies meet this timeline, the board also evaluates state agency permit procedures and recommends changes for improved efficiency.

“They have done an incredible job rethinking their regulatory role and thinking about how to be more nimble.”

-Timothy Wilkerson, Director of MPRO

Wilkerson noted that the expedited permitting has helped to both target development and speed the process. “The speed of the process has been transformed,” he said.

MassWorks public infrastructure grants

The state of Massachusetts also offers public infrastructure grants designed to facilitate housing and economic development. A total of \$70 million is available for FY 2015, and “shovel-ready projects” are prioritized.

Erica Kreuter, MassWorks director, said the grants are targeted to private and public projects that are able to start quickly, make an impact, and consistent with the state’s sustainable development principles. “We are making strategic investments in priority development areas,” she said. “Sometimes lack of infrastructure prevents development. It’s a way to facilitate development.”

Projects funded have included roads, sewers, increasing water capacity, and public transit. For example, one grant helped to fund the Orange line MBTA station in Somerville, an investment that has transformed the area. In addition to new commercial development and company headquarters locating in the area, 400 new housing units have also been built.

“We’ve been able to make an investment that’s generated a return,” Kreuter said.

Future Efforts

In addition to continuing infrastructure grants and expedited permitting, the state of Massachusetts is also working to support communities’ efforts to adopt technology. MPRO has at times been able to provide technical assistance grants that communities have used to procure e-permitting systems and also offers a basic free downloadable permit tracking system. Although the technical assistance grants are no longer available, MPRO continues to be a resource to communities on e-permitting systems, conducting surveys about what software municipalities are using and collecting information about vendors’ software options.

The office continues to consider how to bring resources to communities to aid them in their efforts to improve the permitting and approval process through technology.

Concluding Thoughts

Several things stand out from this review of efforts towns, cities, counties, and states that have made to improve the efficiency of the land development review and approval process. First, many places have made concerted efforts since the recession to improve the process. Some of these have been massive, multi-year undertakings that involved dozens of people and resulted in dramatic changes to the process. Others have been more modest and often focused on adopting new technology to reduce government workloads and speed the process and improve ease of access to the process for users. Although some of the strategies described in this report resulted in measurable improvements in the process, others have resulted in changes that either have not or cannot be measured in terms of fewer days in the process, lower costs, or fewer signatures required. However, they have almost universally led to better relationships between builders and permitting department staff, more satisfaction with the process, and/or a clearer process.

Second, a number of these efforts have been led or encouraged by local home builders' associations. In fact, it seems logical that without the participation of home builders—the primary users of local development review and approval processes—an attempt to improve the system is not likely to succeed. Most of the places described in this report, and particularly those in the case studies, have relied on input from builders and tried to balance builders' concerns with those of other stakeholders.

Third, the work of creating an efficient land development review and approval process is never finished. As laws and regulations change, steps are added to the process to comply. These steps are typically added piecemeal and can very quickly add layers of complexity, leading again to lack of clarity and frustration for both administrators and users of the process. As Bill Ackman, Director of the Department of Plan Review in Leesburg said after a major overhaul of the process there said, “We don’t consider ourselves fixed, we consider ourselves better. We need to keep an open mind and continue to be fluid in looking for ways to improve because once we become complacent, we are right back to where we were.”

Last, many more places throughout the country could benefit from improving the land development and review approval process. Government budgets are still under pressure, and many still have reduced staffing from pre-recession levels. In an environment where agency staff struggle to keep up with their regular workload, it can seem daunting to undertake the additional work of improving the efficiency of the process. The intent of this report is to facilitate such efforts by profiling places that faced the same challenges and been able to overcome them, and by providing details on best practices that local governments can use to meet their specific needs and those of their constituents.

End Notes

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- ⁱⁱ Clark, Kara, “Mission Accomplished? Wolf Approval, Height Amendment Make Big Week for Leesburg,” *Leesburg Today*, June 1, 2011.
- ⁱⁱⁱ Leesburg: Land Development Process Improvements, 2011 VML Achievement Awards, <http://www.leesburgva.gov/Home/ShowDocument?id=8024>
- ^{iv} Initiative 900 authorizes the State Auditor—a publicly elected official whose office operates independently of the State Legislature—to conduct performance audits of any state agency, local government, or public education agency/institution. In addition, the initiative established a non-appropriated account solely for the use of the State Auditor in conducting performance audits, which is funded by a dedicated portion (0.16%) of state sales tax. Finally, the initiative designates a series of legislative requirements that ensure the findings of performance audits are acted on. See: <http://leg.wa.gov/jlarc/I-900/Pages/I-900.aspx>
- ^v See YouTube video here: <https://www.youtube.com/watch?v=J8N9RG0scBo>
- ^{vi} “Local Government Permitting: Best Practices,” Governor’s Office of Regulatory Assistance, ORA Publication No. ENV-015-08, August 2008, p. 4, accessed at: http://www.oria.wa.gov/Portals/_oria/VersionedDocuments/Local_Government/lgp_best_practices_report.pdf
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