

## PLANNING, BUILDING AND CODE ENFORCEMENT

The mission of the Planning, Building & Code Enforcement Department is to facilitate the preservation and building of a safe, attractive, vibrant and sustainable San José through partnership with and exceptional service to our diverse communities and customers.

## PLANNING, BUILDING & CODE ENFORCEMENT

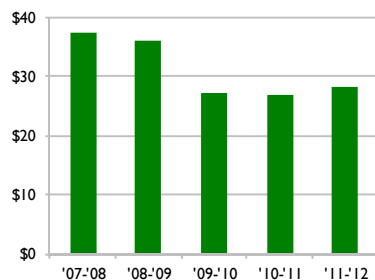
The Planning, Building & Code Enforcement (PBCE) Department guides the physical development of San José. Through its three Divisions, it reviews construction applications and issues permits consistent with law and policy.

In 2011-12, the Department's operating expenditures were \$28.4 million\*, slightly more than in 2010-11, but 24 percent less than five years ago. The Department had 230 authorized positions, down thirty-seven percent from five years ago.

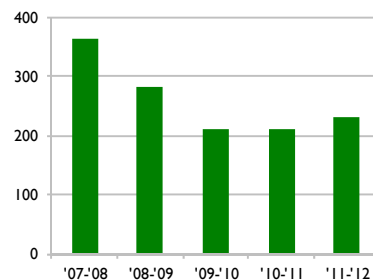
Under the collaborative umbrella of Development Services, PBCE works with other City Departments to deliver the City's permitting function. Subsequent pages of this chapter discuss Development Services.



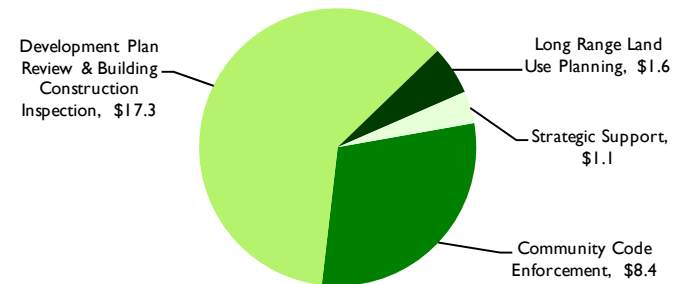
**PBCE Operating Expenditures (\$millions)**



**PBCE Authorized Positions**



**PBCE 2011-12 Expenditures by Service (\$millions)**



## PLANNING, BUILDING & CODE ENFORCEMENT

### BUILDING

PBCE's Building Division reviews new construction projects within the City, making sure they meet health and safety requirements. It achieved 81% of plan checks within cycle times and 47% of building inspections within 24 hours. It is the largest Development Services program, processing nearly 25,000 building permits in 2011-12, and seeing gains in construction volume and value for two consecutive years. See *Development Services* section for more information on the Division's work.

\*Does not include \$0.5 million that PBCE spent in Citywide expenses, most of which went toward the Comprehensive General Plan Update.

### PLANNING

PBCE's Planning Division administers the City's long-range planning projects, and processes land development applications to match the City's planning goals. The City completed the *Envision San José 2040 General Plan* in 2011-12.\*\* This Planning project identifies twelve major strategies, following the input of thousands of community participants over more than four years. In addition to staff, the process included a 35-member task force, outreach in five languages to 1,000 community members who participated in over 100 workshops and community meetings, and the use of online surveys and social media. See the *Development Services* pages of this chapter for more on Planning's work.

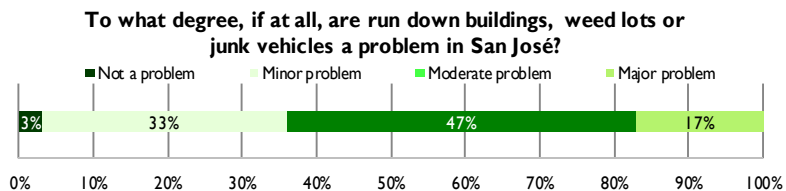
\*\**Envision San José 2040 General Plan*, available at [www.sanjoseca.gov/index.aspx?nid=1737](http://www.sanjoseca.gov/index.aspx?nid=1737). See also *Planning in San José: A Community Guide*, available at [www.sanjoseca.gov/index.aspx?nid=1731](http://www.sanjoseca.gov/index.aspx?nid=1731).

#### THE NATIONAL CITIZEN SURVEY™

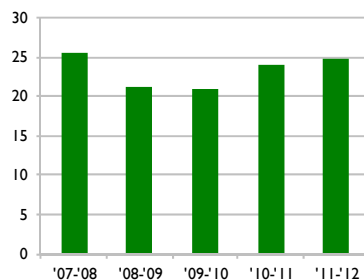
**54%** of residents surveyed rated the overall quality of new development in San José as "excellent" or "good".

**34%** of residents surveyed rated land use, planning and zoning in San José as "excellent" or "good".

**26%** of residents surveyed rated code enforcement (weeds, abandoned buildings, etc.) as "excellent" or "good".



**Building Permits (thousands)**



#### Envision San José 2040 General Plan: 12 Major Strategies

1. Community Based Planning
2. Form Based Plan
3. Focused Growth
4. Innovation/Regional Employment Center
5. Urban Villages
6. Streetscapes for People
7. Measurable Sustainability/Environmental Stewardship
8. Fiscally Strong City
9. Destination Downtown
10. Life Amidst Abundant Natural Resources
11. Design for a Healthful Community
12. Phasing and Periodic Review

## DEVELOPMENT SERVICES

The Permit Center at City Hall provides one-stop construction permit services for residents' and businesses' new building projects and changes to existing structures.

The **Development Services partners** in the Permit Center are

- Planning Division
- Building Division
- Fire Department (see *Fire section*)
- Public Works Department (see *Public Works section*)

An uptick in development activity within the City prompted the City Council to approve 21 new development fee positions mid-year. This brought the total Development Services authorized staff up to 183. The number of customers decreased by 2 percent since 2010-11 and 41 percent since 2007-08, and the number of planning applications was nearly equal. However, the size and value of building projects overall increased, and plan check reviews increased by 8 percent since 2010-11.

**Development Services 2011-12 Summary (\$millions)**

Partner	Revenue	Cost	% Cost Recovery*	Positions (rounded)
Building	\$23.6	\$18.6	126.7%	119
Public Works	\$6.3	\$4.3	148.5%	27
Fire	\$5.4	\$4.4	122.7%	22
Planning	\$2.7	\$2.7	100.8%	15
<b>TOTAL</b>	<b>\$38.0</b>	<b>\$30.0</b>	<b>126.9%</b>	<b>183</b>

\*Fee revenue above 100 percent cost recovery increases fee reserves.

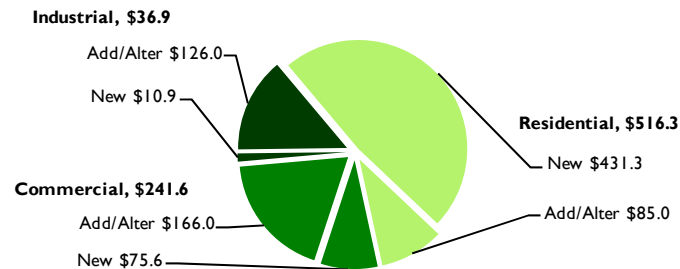
In 2011-12, Development Services

- issued 24,871 building permits,
- served 27,201 Permit Center customers, and
- processed 1,835 planning applications.

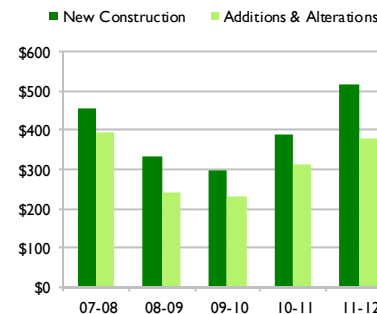


The Permit Center, located in City Hall.

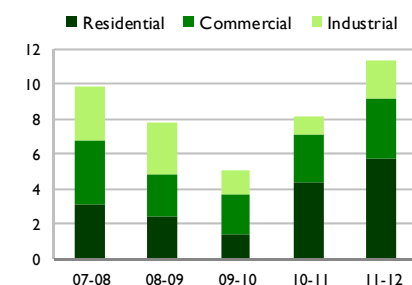
**Value of 2011-12 Building Activity (in \$millions)**



**Value of Construction (\$millions)**



**Volume of Construction\* (in millions of square feet)**



\*Permitted new construction, additions & alterations.

Across all the partner departments, Development Services was a \$38 million business of the City of San José in 2011-12, reaching 127 percent cost recovery. According to PBCE, revenue was above base estimates in part due to an increase in large projects of longer duration, where fees are paid to the City upfront but the City's costs are spread out over a longer period of time.

The City has instituted two programs to expedite project delivery: Special Tenant Improvement (STI) and Industrial Tool Installation (ITI). Approximately 348 projects received additional cross-departmental attention through these programs.

Projects using Development Services vary broadly, from replacing a residential water heater to large, mixed-use developments of many thousands of square feet. One project may require multiple permits and inspections. Some development projects require approval through a public hearing, but most (an estimated 79 percent\*) require only administrative approval. Projects only go through Public Works or the Fire Department when they have impacts on public facilities (e.g., traffic, streets, sewers, utilities, flood hazard zone) or fire-related issues (e.g. need for fire sprinkler systems or fire alarm systems), respectively.

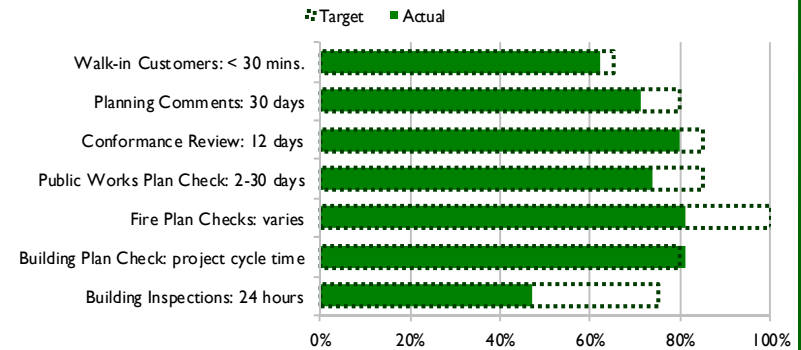
In 2011-12, the number of staff available to respond to general inquiries in the Permit Center declined. As a result, the partners implemented a new policy limiting free consultations with staff to 15 minutes. Staffing changes also affected timeliness, which did not meet targets in six of seven permitting processes. Timeliness of individual steps in the development process varies depending on the scale and complexity of a given project, and can involve from one to all four of the Development Services partners listed above.

\*79% of Development Services customers in a 2012 survey reported that their most recent project required only administrative approval.

**Examples of Planning Timelines**

- < 30 days: single family house permit, dead tree removal, sign permit
- < 60 days: retail site modifications, residential addition
- < 90 days: church, school, child care conversions; some commercial & industrial sites
- < 120 days: gas stations, nightclubs
- < 180 days: high density residential permit (> 3 stories), large hotels/motels
- > 180 days: large public / quasi-public use requiring EIR

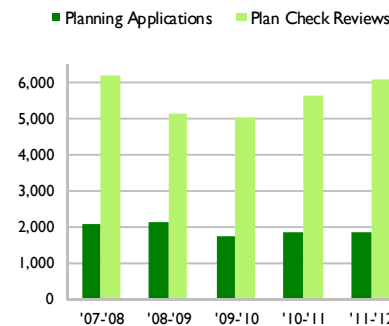
**Timeliness of Development Services\***



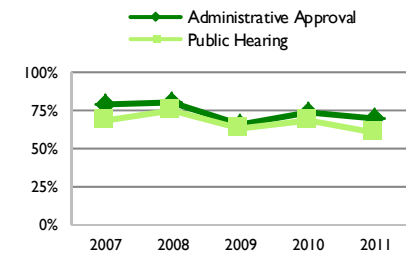
Source: Development Service Report, August 2012

\*The selected measures above may occur simultaneously; some are dependent on completion of particular processes. For other Fire and Public Works measures related to Development Services, see the Fire and Public Works chapters.

**Plan Reviews**

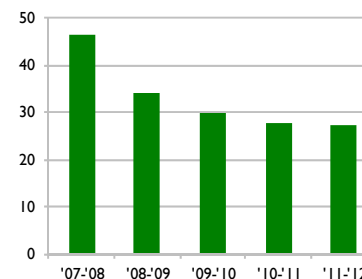


**Development Services Overall Customer Satisfaction by Project Type**

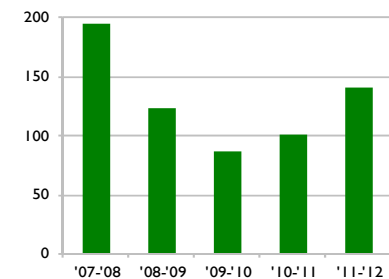


Source: PBCE survey

**Development Services Permit Center Customers (in thousands)**



**Field Inspections (in thousands)**



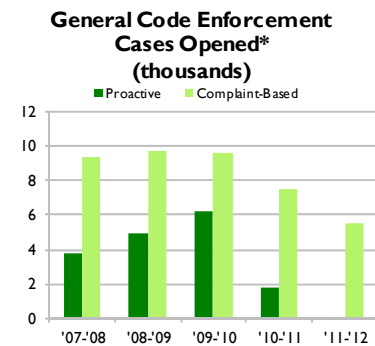
## PLANNING, BUILDING & CODE ENFORCEMENT

### COMMUNITY CODE ENFORCEMENT

PBCE's Code Enforcement Division enforces laws that promote the health, safety, and appearance of existing buildings and neighborhoods. In 2011-12, PBCE opened up a total of 5,569 general code enforcement cases, down 58 percent over five years ago. Because of staffing reductions, PBCE now relies exclusively on complaints from members of the public, rather than proactive (staff-initiated) enforcement. PBCE responded to 99 percent of 65 emergency complaints within 24 hours, and 81 percent of 1,184 priority complaints within 72 hours.\* Previously, PBCE responded personally to other types of routine complaints, like illegal signs and lawn parking (previous target: 15 days). Now, staff send letters in response to routine complaints and only respond personally on an as-available basis.

In 2011-12, PBCE resolved 95 percent of code violations through voluntary compliance (i.e. without a hearing or citation). PBCE also provides routine inspections of multiple unit housing properties and businesses selling alcohol or tobacco; the property or business owners fund these inspections with fees. In 2011-12, these inspections covered over 14,000 multiple housing units.

\*Emergency complaints involve an immediate threat to life or property, like an unsecured pool fence. Priority complaints involve possible threats to life or property, like unpermitted construction.



\*Does not include multiple unit housing inspections.

