



Dena M. Smith
Director

Mission Statement
The Land Use Services Department is dedicated to ensuring a balance in the areas of housing, business, and recreational needs for the diverse cultures and communities of San Bernardino County. This is accomplished through comprehensive regional planning and enforcement of building standards, land uses, and environmental impacts.

GOALS

ADVANCE PLANNING
DECREASE
PROCESSING TIMES
FOR INITIAL
ENVIRONMENTAL
REVIEW

CURRENT PLANNING
DECREASE
PROCESSING TIME FOR
APPLICATIONS

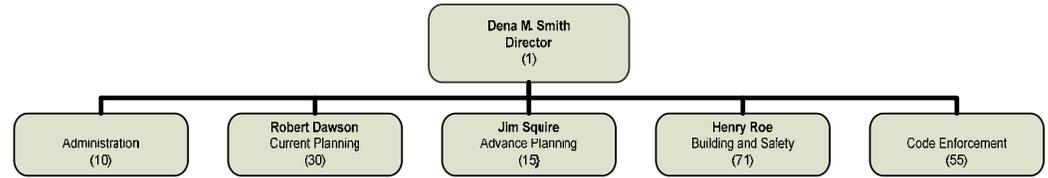
BUILDING AND SAFETY
COMPLETE PLAN
REVIEWS WITHIN TIME
FRAMES

CODE ENFORCEMENT
DECREASE TIME
BETWEEN RECEIPT OF
COMPLAINT AND
INSPECTION

FIRE HAZARD
ABATEMENT
DECREASE
PROCESSING TIME FOR
ABATEMENTS
REQUIRING A WARRANT

LAND USE SERVICES

ORGANIZATIONAL CHART



DESCRIPTION OF MAJOR SERVICES

The Land Use Services Department (LUSD) provides oversight for land use in the unincorporated areas of the county. This oversight begins with the county's general plan and extends to review of land use applications, adherence to building codes and enforcement of ordinances. LUSD is comprised of the following divisions:

Administration provides centralized fiscal, personnel, and technology services to all of the department's divisions.

Advance Planning oversees implementation of the General Plan and prepares updates and annual reports as required by law; maintains the Development Code and interprets Code requirements. This Division is the County lead for California Environmental Quality Act (CEQA) compliance and oversees preparation of environmental reports for private and capital improvement projects. Advance Planning also conducts annual mine inspections and ensure adequate reclamation financial assurances for mining operations in accordance with the state's Surface Mining and Reclamation Act (SMARA).

Current Planning reviews all applications for land use within the county unincorporated areas to ensure compliance with county codes and environmental laws. This Division oversees land use, housing, and community design, and assists the Planning Commission and Board of Supervisors with formation and implementation of plans and ordinances. Current Planning provides direct assistance to residents, businesses, contractors, developers and the general public regarding land use regulations, zoning, entitlement applications and related requests.

Building and Safety administers construction and occupancy standards to safeguard life, health, and property in unincorporated areas of the county. This Division applies state law and county ordinances and inspects the construction, alteration, relocation, demolition, repair, occupancy, and use of buildings and structures to ensure compliance.

Code Enforcement administers programs designed to protect the public's safety, welfare, and property through enforcement of county ordinances and state laws related to housing and property.

Fire Hazard Abatement enforces the county's Fire and Hazardous Trees Ordinance in the unincorporated portions of the county and provides contract services to specified cities and fire districts.

2009-10 SUMMARY OF BUDGET UNITS

	Appropriation	Revenue	Local Cost	Staffing
General Fund				
Land Use Services - Administration	-	-	-	11
Land Use Services - Current Planning	3,165,256	3,165,256	-	30
Land Use Services - Advance Planning	3,929,714	2,437,633	1,492,081	15
Land Use Services - Building and Safety	8,390,773	8,390,773	-	71
Land Use Services - Code Enforcement	4,440,405	859,800	3,580,605	33
Land Use Services - Fire Hazard Abatement	2,888,411	2,888,411	-	22
Total General Fund	22,814,559	17,741,873	5,072,686	182

GOALS, OBJECTIVES, AND PERFORMANCE MEASURES

2008-09 ACCOMPLISHMENTS

GOAL 1: ADVANCE PLANNING - DECREASE PROCESSING TIME FOR INITIAL ENVIRONMENTAL REVIEW OF APPLICATIONS RECEIVED FROM THE CURRENT PLANNING DIVISION.

Objective A: Complete initial environmental review of all applications referred from the Current Planning Division within five working days.

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
1A. Percentage of initial environmental reviews completed within five working days.	N/A	90% (86 reviews)	95%	93% (52 reviews)	97%

Status

In accordance with the California Environmental Quality Act (CEQA), an Initial Study must be prepared for most discretionary projects submitted to the department in order to determine the potential adverse environmental impacts. In addition, the State Permit Streamlining Act requires that applications be accepted as complete or returned to the applicant within 30 days of filing (see Goal 2 below). Within this time period, project applications received by Current Planning must be reviewed by Advance Planning and other agencies. In order to meet this timeline, it is important that the Advance Planning Division, as a reviewing party, complete the initial environmental review as quickly as possible.

This measurement was new for 2009-10. Baseline data was collected during 2008-09 (90%) and, from this, the goal of having 95% of applications reviewed within five working days was established for 2009-10. Performance in 2009-10 has improved but is projected to fall short of the target at 93%. On this basis, the department has set the 2010-11 target at 97%, an additional 4% improvement over 2009-10 estimated performance.

GOAL 2: CURRENT PLANNING - DECREASE THE PROCESSING TIME FOR APPLICATIONS "ACCEPTED AS COMPLETE" OR RETURNED TO APPLICANT AS INCOMPLETE.

Objective A: Process applications within 30 calendar days of receipt.

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
2A. Percentage of applications accepted as complete or returned to applicant within 30 calendar days of receipt.	98% (873 applications)	95% (570 applications)	95%	99% (620 applications)	99%

Status

The State Permit Streamlining Act requires that a jurisdiction make a determination that an application for a development project is complete and ready for processing within 30 calendar days of submission. Incomplete applications must be returned to the applicant with information specifying the deficiencies and corrective actions required for subsequent resubmission. Since establishment of this objective in 2006, the division has consistently succeeded in processing >95% of applications within the 30 day timeline.

- ❖ *Facilitated development and approval of two sets of amendments to the Development Code*
- ❖ *Processed 17 Environmental Impact Reports*
- ❖ *Processed 6 mining applications and inspected 102 mines*
- ❖ *Conducted over 35,000 construction inspections with 98% on-time delivery rate*
- ❖ *Completed nearly 2,500 plan reviews with a 97% on-time delivery rate*
- ❖ *Implemented interim mitigation measures for Greenhouse Gas emissions*
- ❖ *Completed review of 686 development applications*
- ❖ *Accepted 570 new applications for land use entitlements*
- ❖ *Conducted 31 Community Clean-Ups resulting in collection of over 2,500 tons of debris and 7,200 vehicles*
- ❖ *Issued 70,000 fire hazard abatement notices resulting in completion of approximately 6,500 abatements*
- ❖ *Approved the Mountain Grove Regional Commercial Center in the area commonly known as "the doughnut hole"*

GOAL 3: BUILDING AND SAFETY - COMPLETE PLAN REVIEWS WITHIN THE DEPARTMENT'S ADOPTED SERVICE STANDARD TIME FRAMES

Objective A: Perform reviews in the following time frames:

<i>Residential</i>	- 10 working days
<i>Subdivisions and multi residential</i>	- 20 working days
<i>Grading and non-residential</i>	- 30 working days

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
3A. Percentage of plan reviews completed within proposed time frames.	95% (4,719 plan reviews)	97% (2,479 plan reviews)	99%	90% (2,100 plan reviews)	95%

Status

The continued economic downturn has dramatically impacted the building industry at large and, consequently, the Building and Safety Division. The workload reduction noted last year has continued and during 2009-10 plan submittals decreased by an additional 19%. In response, division staffing was reduced by approximately 60% and staff resources for plan review were reduced by 80% (from 10 to 2 positions). Given these circumstances, the 2009-10 goal of having 99% of plan reviews completed within the service standard time frames will not be attained. For 2010-11 the department will supplement staff resources with contract services to improve the performance by 5% to 95%.

GOAL 4: CODE ENFORCEMENT – DECREASE TIME BETWEEN RECEIPT OF COMPLAINT AND PERFORMANCE OF INITIAL INSPECTION.

Objective A: Perform initial inspections within one week of receipt of the complaint.

Objective B: Provide initial notification within three working days of receipt of complaint.

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
4A. Percentage of initial inspections completed within one week of receipt of complaint.	N/A	70% (5,000 complaints)	72%	72% (5,200 complaints)	80%
4B. Percentage of initial notifications processed within three working days of receipt of complaint.	N/A	N/A	NEW	75%	85%

Status

During 2009-10, fiscal constraints resulted in Code Enforcement Division staffing being reduced by 30% (from 41 to 28 positions). As a result of decreased staffing levels, as well as training issues related to staff reassignments, the division will alter the process for handling of initial response to complaints. In the past, a field inspection was conducted in response to every complaint. Under the new process, the initial complaint will result in issuance of a notice of alleged violation which will provide the alleged violator with notice of the violation and a timeframe for correction. The complainant is also provided with this information and, if correction does not occur within the prescribed timeframe, further action, including an inspection, will take place. In light of this change, a new objective and performance measure will be established for 2010-11 as indicated above and the historical objective and measurement of "time to initial inspection" will be discontinued.

Given the new staffing model, the division will undertake a comprehensive review of operations in 2010-11 with the goal of identifying methods to improve operational efficiency and performance. The review will include all aspects of existing services, incorporation of the newly adopted Administrative Citation process and an exploration of increased opportunities for grant-funding and interagency collaboration.

GOAL 5: FIRE HAZARD ABATEMENT – DECREASE PROCESSING TIME FOR ABATEMENTS REQUIRING A WARRANT.

Objective A: Complete abatements requiring a warrant within four weeks of posting the warrant.

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
5A. Percentage of abatements performed within four weeks of posting a warrant.	N/A	80% (1,871 abatements)	90%	90% (2,106 abatements)	90%

Status

During 2009-10, budget constraints required reductions in staffing for the Fire Hazard Abatement program from 10 field officers to 3. Even under these difficult circumstances, the department expects the 2009-10 target (abatement of 90% of all properties within four weeks of posting warrants) to be met through the enhanced participation of Code Enforcement Field Assistants. In addition, staff will utilize the newly adopted Administrative Citation process to help increase compliance with notices issued. Effective use of the Administrative Citation process is anticipated to result in a reduction in the total number of abatements. With the total number of abatements reduced, the performance target will be attainable, despite reduced staffing levels.

2010-11 GENERAL PLAN MAINTENANCE SUPPORT

During the budget process for 2006-07, the Board of Supervisors approved ongoing general fund financing in the amount of \$320,000 annually to support Advance Planning Division efforts for General Plan and community plan maintenance. Each year, the Advance Planning Division submits a proposed plan for use of this allocation.

Completed Project

The following project was completed during 2009-10.

Santa Ana Wash Plan Habitat Conservation Plan (HCP)

In August 2002, the Board of Supervisors approved participation in the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan Task Force. The Task Force is a consortium of public and private entities formed for the purpose of developing a Habitat Conservation Plan. Project financing in the amount of \$30,000 was approved in 2008-09 with an additional \$30,000 authorized in 2009-10 for this project. Project scope included preparation of an administrative draft plan, Draft Environmental Impact Review (EIR), Final EIR, the HCP and the associated environmental documents. This work has been completed and the HCP has been adopted by the San Bernardino Valley Water Conservation District and will be submitted to the state and federal agencies for approval in spring 2010.

Unanticipated Projects

The following projects were not identified as part of the funding plan for 2009-10 but were deemed urgent and required the diversion of staff and/or fiscal resources from other projects as indicated below.

Greenhouse Gas Reduction Plan

\$120,000

In 2007, the State Attorney General (AG) filed suit against the county, alleging that the county failed to adequately analyze and mitigate the impacts of greenhouse gas (GHG) emissions in the Environmental Impact Report prepared for the county's General Plan Update. Subsequently, the county and the AG forged a Settlement Agreement which required the county to prepare and approve a GHG Reduction Plan. Project financing in the amount of \$320,000 was approved in 2008-09 for preparation of the GHG Reduction Plan. As preparation of the plan progressed, additional work has been required by both the project consultants and staff to ensure the production of legally-acceptable and complete documents. Additional legal advice has also been necessary to ensure that the documents produced are consistent with the requirements of the settlement agreement. The department reallocated funds from the following projects: Study of Mountain Evacuation Routes (\$50,000), Wrightwood Downtown Development Guidelines (\$50,000) and Glen Helen Specific Plan Update (\$20,000) projects.

Water-Efficient Landscape Ordinance**\$50,000**

In 2006, the State Water Conservation in Landscaping Act (AB 1881) was enacted, establishing a requirement that counties and cities adopt landscape water conservation ordinances by January 1, 2010. In September 2009, the Department of Water Resources released a "model" ordinance and local jurisdictions are required to adopt ordinances that are "at least as effective" as the "model." The county has implemented the model ordinance while working in cooperation with surrounding cities, counties and water agencies to develop a coordinated regional approach. Project scope includes participation in interagency coordination efforts, development of local ordinance, public communication meetings and materials, internal training and procedures. The department reallocated funds from the Airport Comprehensive Land Use Plan Update project (\$50,000). This project is anticipated to be completed during 2009-10.

2010-11 Projects

The following projects are proposed for 2010-11.

1. Housing Element Update**\$25,000**

The county last updated its Housing Element in 2007 along with the General Plan Update. This update was also intended to meet the state requirement for the 2003 update. In 2001, the county joined with other jurisdictions in mounting a legal challenge to the Regional Housing Needs Assessment (RHNA) numbers assigned by the Southern California Associated Governments (SCAG) document and, despite the eventual outcome of these ongoing legal efforts, this element needs to be revised again to meet the mandatory five year (2003-2008) update cycle. Project funding in the amount of \$25,000 was allocated in 2009-10. Staff initiated coordination with the state on the clean-up and, though that process, determined that the update will require much more extensive effort than initially anticipated, including outreach to all unincorporated areas. The department plans to allocate an additional \$25,000 in 2010-11 to support continued work on this project. This project is anticipated to be completed by July 2011.

2. General Plan Biotic Resources Overlay**\$25,000**

One of the goals of the 2007 county General Plan is the maintenance of current Biotic Resources Overlay maps. In December 2007, the county agreed to update these maps with the best available information within 12 months. Staff worked with the County Museum to update these maps, which are anticipated to be presented to the Board of Supervisors in Spring of 2010. Museum staff has identified a need to conduct more extensive studies for various species throughout our jurisdiction. In addition, annual review and analysis needs to be completed to ensure that the county is properly addressing and mapping the distribution of specific threatened or endangered species and recognizing on-going changes to species distribution made by state and federal regulatory agencies. Project funding in the amount of \$25,000 was allocated in 2009-10. The department plans to allocate an additional \$25,000 in 2010-11 for maintenance of this effort. LUSD staff will coordinate with the staff from the County Museum to develop a strategy to address this ongoing need.

3. Study of the Mountain Evacuation Routes**\$50,000**

On December 11, 2007, the Board of Supervisors directed that the Hazard Mitigation Plan be updated. This update is to include review of the emergency evacuation routes from the mountain communities. Discussion among the participating agencies has resulted in the determination that a detailed study and evaluation of various emergency contingencies is necessary. Results from this effort will help the county determine appropriate densities of development in the Mountain Region given the limitations for emergency evacuation. Project funding in the amount of \$50,000 was allocated in 2009-10. These funds were redirected to fund unanticipated additional expenses related to the Greenhouse Gas Reduction Plan. The department plans to allocate \$50,000 in 2010-11 to support this project and is anticipated to be completed by December 2011.

4. Oak Hills Community Plan**\$10,000**

The 2007 General Plan Update included the adoption of 13 community plans. The Oak Hills Community Plan was adopted in 2003 and predated the most recent General Plan Update. However, this Plan needs to be updated to be consistent with the format of the plans adopted in 2007. The goals and policies of the 2003 plan would be maintained and amended only to be consistent with the other plans. Also, background information would need to be updated and reformatted. Project funding in the amount of \$15,000 was allocated and utilized in 2009-10 in support of this project. The department plans to allocate an additional \$10,000 in 2010-11 and anticipates completion of this project by July 2011.

5. Wrightwood Downtown Development Guidelines**\$50,000**

The 2007 General Plan Update included the adoption of 13 community plans. The community of Wrightwood was not included among them; however, during the update process it became clear that additional work needed to be done to guide development for the downtown area of this community. This area needs to be evaluated and recommendations adopted to create better traffic/pedestrian patterns and provide greater aesthetic appeal as desired by the citizens of Wrightwood. Project funding in the amount of \$50,000 was allocated in 2009-10. These funds were redirected to fund unanticipated additional expenses related to the Greenhouse Gas Reduction Plan. The department plans to allocate \$50,000 in 2010-11 to support this project. This project is anticipated to be completed by April 2012.

6. Airport Comprehensive Land Use Plans Updates**\$65,000**

In January 2002, the State Department of Transportation (DOT) Aeronautics Division updated its Airport Land Use Planning Handbook to reflect changes to the definitions and the requirements for various safety review areas. The county has six airport comprehensive land use plans which must be updated to reflect the state guidelines. Preliminary efforts have determined that extensive technical assistance and coordination with the DOT Aeronautics Division will be necessary for completion of this project. Project funding in the amount of \$75,000 was allocated in 2009-10. Of this amount, \$50,000 was redirected to fund unanticipated expenses related to the Water-Efficient Landscape Ordinance. The department plans to allocate an additional \$65,000 in 2010-11 to support this project. This project is anticipated to be completed by June 2012.

7. Glen Helen Specific Plan Update**\$15,000**

In November 2005, the Board of Supervisors adopted the Glen Helen Specific Plan. In 2007, the Board adopted the General Plan Update program in which the General Plan text and maps and the Development Code were revised comprehensively. Consequently, the Glen Helen Specific Plan needs to be updated to be consistent with the format and provisions of the new General Plan and Development Code. Project funding in the amount of \$50,000 was allocated in 2009-10. Of this amount, \$20,000 was redirected to fund unanticipated additional expenses related to the Greenhouse Gas Reduction Plan. The department plans to allocate an additional \$15,000 in 2010-11 to support this project. This project is anticipated to be completed by July 2011.

8. Greenhouse Gas Reduction Plan Supplemental Work**\$80,000**

In 2007, the State Attorney General (AG) filed suit against the county, alleging that the county failed to adequately analyze and mitigate the impacts of greenhouse gas (GHG) emissions in the Environmental Impact Report (EIR) prepared for the county's General Plan Update. Subsequently, the county and the AG forged a settlement agreement which required the county to prepare and approve a GHG Reduction Plan. Project funding in the amount of \$320,000 was approved in 2008-2009 for preparation of the GHG Reduction Plan. Unanticipated additional costs of \$120,000 were realized during 2009-10 for additional staff, consultant and legal counsel services to ensure the production of legally-acceptable and complete documents. We anticipate a continued need for these services as the Environmental Impact Review process progresses and the Plan moves towards finalization. The department plans to allocate an additional \$80,000 to support this project during 2010-11. This project is anticipated to be completed by July 2011.

2010-11 REQUESTS FOR GENERAL FUND FINANCING

The following three policy items represent those projects that are beyond the scope of LUSD's general fund allocation but may be required for completion to fulfill a legal obligation and/or have been identified as priority projects by the Board of Supervisors.

Brief Description of Policy Item or CIP request	Budgeted Staffing	Appropriation	Dept. Revenue	Local Cost
1. West Mojave Plan Environmental Impact Review – (One-Time Policy Item)	-	300,000	-	300,000
<p>The Bureau of Land Management (BLM) approved the West Mojave Plan, a multi-agency conservation program in the western Mojave Desert, on March 2006. The plan is intended to establish a regional conservation strategy for federal, state, and local governments, as well as private property owners, industries and public lands users that meets the requirements of the state and federal Endangered Species Acts. The West Mojave Plan is now effective on federal land.</p> <p>In order for the Plan to apply to private lands, the four counties and 11 cities must adopt a habitat conservation plan (HCP) that meets the requirements of the US Fish and Wildlife Service and the California Department of Fish and Game (CDFG). This HCP will allow for continued growth of the areas within the High Desert region, the communities of the Morongo Basin easterly to the City of Twentynine Palms, as well as the City of Barstow and surrounding areas. San Bernardino County assumed a lead role for preparation of the HCP. The draft HCP was completed in September 2008 through grant funding from CDFG and sent to the wildlife agencies for review.</p> <p>Continued progress on the HCP will require completion of an Environmental Impact Report/Environmental Initial Study (EIR/EIS) and allocation of staff resources for project management and coordination with the affected cities. The request for project funding of \$300,000 in 2009-10 was not approved. Staff is requesting \$300,000 in 2010-11 for completion of the EIR/EIS and project management, including additional outreach to the affected cities. The department will apply for any available grant funding to reimburse the County for this local cost request.</p>				
2. Helendale Specific Plan Environmental Impact Review - (One-Time Policy Item)	-	300,000	-	300,000
<p>The Board of Supervisors approved project funding of \$400,000 in 2008-09 for preparation of the Helendale Specific Plan. A Request for Proposals for consultant services was prepared and released in April 2009. Receipt, review, ranking, interview and selection of a consultant took place over the next several months and preparation of the plan is underway and anticipated to be complete during 2009-10. Upon completion of the Plan, an Environmental Impact Review will be necessary to evaluate the environmental impacts of the plan and to complete the plan through adoption by the Board. The requested amount of \$300,000 will fund consultant services for preparation of the Environmental Impact Report.</p>				
3. Desert Groundwater Basin Inventory - (One-Time Policy Item)	-	200,000	-	200,000
<p>Our desert areas include many groundwater basins with unknown groundwater potential. A basin inventory will establish the baseline for many of the basins before they are developed and will provide critical information including estimated recharge rates, safe yields and whether particular basins are in overdraft, have degraded water quality or are otherwise impacted. This inventory would be a vital tool in properly managing and guiding future growth. The requested amount of \$200,000 will fund consultant services to conduct the study for the Desert Groundwater Basin Inventory. The department will apply for any available grant funding to reimburse the County for this local cost request.</p>				

MEASUREMENT	2007-08 Actual	2008-09 Actual	2009-10 Target	2009-10 Estimate	2010-11 Target
P1 Select a consultant and prepare the West Mojave Plan Environmental Impact Report.	N/A	N/A	N/A	N/A	75%
P2. Select a consultant and prepare the Helendale Specific Plan Environmental Impact Report.	N/A	N/A	N/A	N/A	75%
P3. Select a consultant to complete the study for the Desert Groundwater Basin Inventory.	N/A	N/A	N/A	N/A	100%

2010-11 PROPOSED FEE/RATE ADJUSTMENTS

DESCRIPTION OF FEE REQUEST

1. The department will propose a revised fee schedule for the Building and Safety Division.

2. The department will propose a revised fee schedule for the Current Planning and Advance Planning Divisions.

3. The department will propose the transfer of specified fees from Code Enforcement to the Building and Safety and Planning Divisions.

4. The department will propose revised inflationary increases in billable hourly rates to recover cost increases.

SERVICE IMPACTS

Fees for the Building and Safety Division have not undergone comprehensive review and adjustment for more than a decade. The department will propose a revised fee schedule that will move us closer to cost recovery for services provided.

Fees for many planning services are based on an initial deposit and subsequent billing for actual costs. The deposit amount for many services is very low and expended before much work can be performed on a project. At this point, the applicant is asked to remit additional funds. This is a point of frustration for staff and customers alike. The department will propose adjustments to deposit amounts in order to ensure adequate funds are initially available to fund substantial work on the project.

The department will also recommend adjustments to "flat rate" service fees to ensure ongoing cost recovery.

Recent review of department operations has led to the realignment of some duties and responsibilities among the Code Enforcement, Building and Safety and Planning Divisions. In accordance with these operational changes, the department will recommend the transfer of some fees between these Divisions.

The department will recommend adjustments to the billable hourly rates for specified staff positions to ensure ongoing cost recovery.

If there are questions about this business plan, please contact Dena M. Smith, Director, at (909) 387-4141.



Working as a team, the department staff reviews proposed development projects



Environmental staff inspects a Solar Array



Code Enforcement providing direction to constituents attending a community clean-up at the California Speedway