

**CITY OF ALBANY  
PLANNING AND ZONING AGENDA  
STAFF REPORT**

**Agenda date: 2/8/2011  
Prepared by: JB**

**ITEM: 6a**

**SUBJECT: Discussion of City Building Permit Plan Check Process**

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**RECOMMENDATION**

Study Session only. No action by the Commission will be taken at this meeting.

**BACKGROUND & DISCUSSION**

In recent months, both applicants and staff have become increasingly concerned about the amount of time required for review of building plans in advance of issuing a building permit (e.g., “plan check”). The purpose of this agenda item is to provide the Commission insights into the issues associated with delays in plan check, and to seek Commission perspective on how to improve the City process.

**Current Practice**

In larger cities, plan check is undertaken by staff that specializes in plan check. In some cases, staffs are co-located to allow easy coordination among departments. Unlike larger cities, the City of Albany does not have in-house staff for plan check and not all staff members are located in the same facility. In particular, for the Fire Department, Public Works Division, and Planning, there is one person generally available for plan check, and plan check duties represent a small portion of the person’s responsibilities. Part of the challenge with timeliness and predictability of plan check is that the scope of some of our other responsibilities is both time sensitive and unpredictable.

The City’s role in plan check is mandated by the California Building Code and the Albany Municipal Code. Plan check involves the following areas of review:

- Permit Technician (completeness of required paperwork, calculation of fees and deposits, management and tracking of application materials, point of contact for applicants)
- Planning Manager (compliance with planning conditions of approval, green building, public art, design details, overall plan check coordination, and initial review of special requests)
- Fire Marshal (fire sprinklers, alarms, emergency exiting)
- Public Works Division (storm drainage, sewer system, street and sidewalk modification, utilities, pumps, grading, excavation, disabled access in the public right-of-way)
- Building Code Consultant (all other areas of code compliance including disabled access and structural design)

- Building Inspector (special inspection procedures, site controls, point of contact with contractor)

For each area of review, the following are the steps in the review process:

- Are the plans complete and represent the entire scope of the project?
- Are the plans internally consistent?
- Are the plans consistent with prior approvals?
- Are the plans consistent with actual site conditions (local knowledge important)?
- Do the plans comply with code requirements?

### **Expedited Plan Check**

In an effort to better serve applicants, some communities provide expedited plan check services. Expedited review is managed in several different ways:

- A staff person voluntarily accepts overtime to review the plans. The applicant covers the cost of expedited review. In Albany's case, salaried staff does most of the plan check of the review.
- A particular staff person is given a lighter work load in order to accommodate expedited review. The fees to the applicant are higher because the staff person processes fewer applications.
- Payment of an extra fee moves a particular application to the front of the line, without change in staffing or processing procedures.

### **Partial Permits**

In some cases, in response to substantive plan check comments from the City, or due to delays in City review, applicants request partial permits. The City will generally offer demolition permits and grading permits in advance of a building permit. Foundation permits are considered in special cases, and only after the first round of plan check, if it is clear from the initial review that the foundation design is acceptable.

The problem with issuance of partial permits is that on a cumulative basis, it adds more time to the review and preparation of the permit. As a result, over time, the efficiency of plan check is actually decreased. In addition, in many cases, the contractor in the field will continue construction beyond the scope of the partial permit, requiring yet more staff time on the project rather than on plan check of other projects.

### **Issues that Cause Delay**

- Incomplete drawings – Some applicants prefer to submit preliminary plans that they know are incomplete, and wait for plan checkers to provide a list of items that need to be included. Applicants often request this so that they do not have to do more work than absolutely necessary. From the City's perspective, incomplete plans require more staff time to review

and prepare comments. City staff very strongly discourages this approach, but ultimately we must accept a set a plans and we must prepare a written response to the plans.

- Requests for Exceptions – Whenever something comes up in the plan check process that creates an unexpected expense, the applicant often will request an exception to the Code requirement. Staff is more than happy to consider alternative means to meeting requirements. In larger cities, special requests will be reviewed by managers, but in Albany’s case, the people doing plan check also process the special request, which take time from other applications.
- Expanding scope of responsibility – Over the past few years, the scope of the City’s responsibilities has been increasing. For example, EBMUD has delegated to the City a requirement to deal with “Fats/Oils/Grease” interceptors on restaurants. On larger projects, new landscaping and storm drainage standards will be significant.
- Drainage – Albany is much more sensitive to storm drainage than other less dense cities. In particular, the City requires that new impervious areas show an effective drainage plan. In addition, if pumps are required, the capacity of the pump must be demonstrated.
- ADA – Disability access requirements are constantly evolving. In the past, most building departments would make informal judgment calls about the degree of compliance that is reasonable for a particular project. As access laws tighten and ADA litigation expands, the City’s legal liability is expanding. As a result, commercial projects are more carefully reviewed. In Albany, many of the commercial property owners delegate tenant improvements to their tenants, who tend to have limited experience with ADA requirements, and usually have not budgeted for the added work.
- Excavation – In some cases, building permit plans accurately describe the completed project, but do not describe how the work will be constructed. Excavations and shoring during construction also require plans and generally need to be prepared or reviewed by a qualified engineer.
- Unqualified applicants – In some cases, because of the relatively small scale of projects in Albany, and in an effort to cut costs, applicants will prepare plans despite lacking experience or technical qualifications. Rather than hire qualified professionals, they repeatedly ask for guidance from staff. Similar to issues created by incomplete drawings, applicants taking this approach tend to be very persistent, often calling or showing up at the counter on a daily basis. Ultimately staff dedicates a significant amount of time illustrating how plans should be prepared.

### **Potential Solutions**

- Customer Education – It is difficult to find good on-line resources to help people through the plan check process. Staff intends to develop better handouts and use webcasts to help

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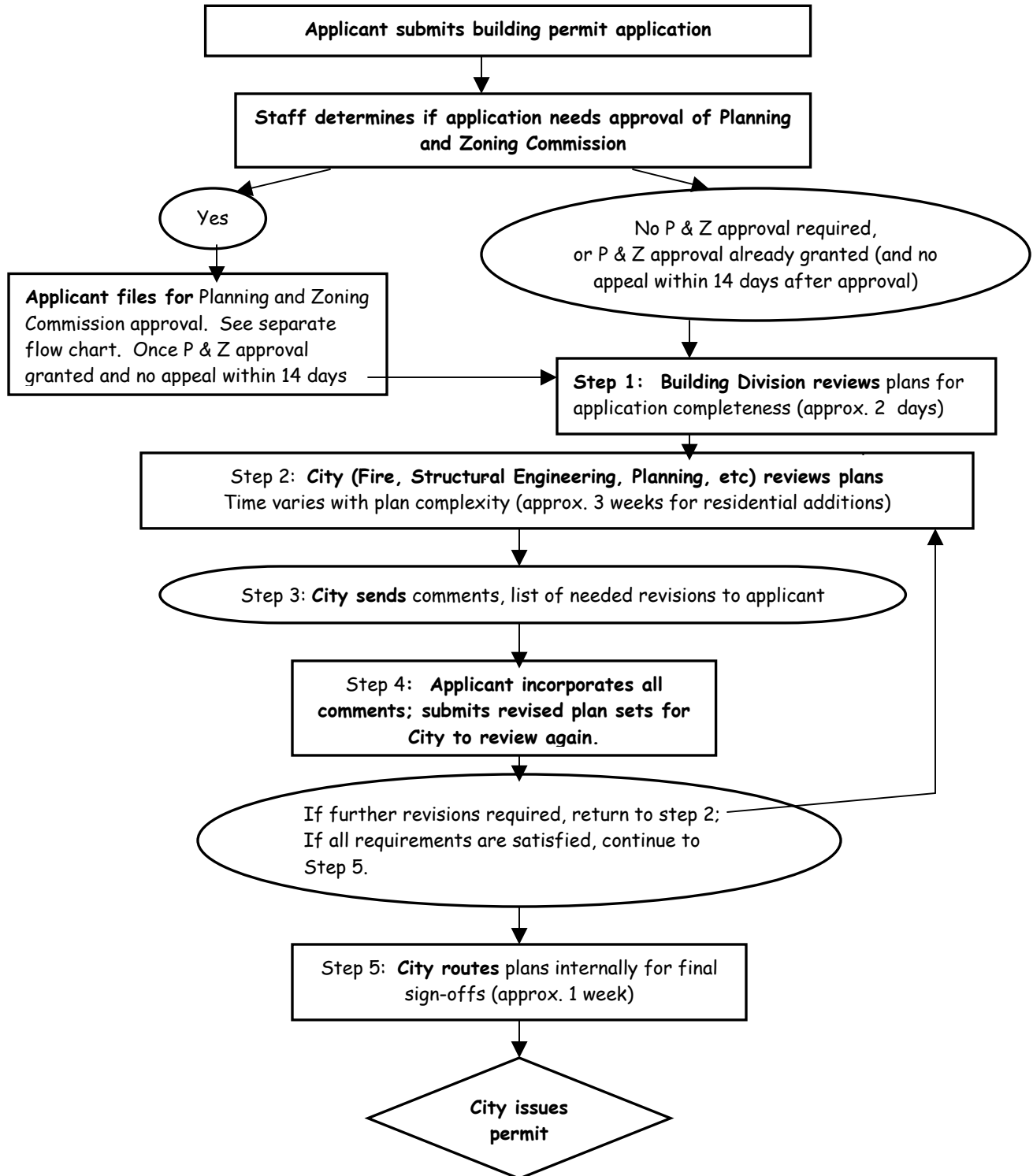
inexperienced applicants understand the plan check process generally, and provide more experienced applicants information on unique requirements of the City of Albany.

- Delegation to Consultants – Staff intends to route routine plans that do not require specific knowledge of the site conditions to outside plan check consultants for both building code and public works review. This will add a modest cost to the applicant, but will free up the public review for more complex projects requiring site visits, meetings, etc.
- Technological upgrade – Recently completed GIS system helps with Public Works review. Other innovations such as automating the administrative parts of the building permit process, such as paying fees, could free up staff time to focus on the more challenging aspects of projects. In addition, acceptance of electronic plans could help avoid time lost routing paper copies of plans from one person to another. Finally, the use of on-line permit processing software can help identify backlogs in processing permits.

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## BUILDING PERMIT FLOW CHART

This chart is provided to help you understand how the City of Albany reviews and approves building permit applications. Minor permits may be issued over the counter or within a few days. Permits for larger projects (additions, new buildings) typically requires at least three (3) months processing time. This time may increase with project complexity.



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## PLANNING & ZONING COMMISSION FLOW CHART (Projects requiring approval of the Planning & Zoning Commission and categorically exempt from the California Environmental Quality Act)

This chart is provided to help you understand how projects requiring Planning and Zoning Commission approval are processed.

