

Department of Planning and Zoning

LOB #76:

ZONING PERMIT REVIEW AND MAINTENANCE OF PROPERTY FILES

Purpose

The Zoning Permit Review Branch (ZPRB) is responsible for the administration and implementation of the Zoning Ordinance, to promote the health, safety and general welfare of the public and the orderly development of the County. The ZPRB reviews Building Permits that are issued by the County to ensure the permits comply with the Zoning Ordinance. ZPRB also ensures compliance with the Zoning Ordinance through the review and issuance of Home Occupation Permits, Non-Residential Use Permits (also known as Occupancy Permits), and Temporary Special Permits. Property Files containing zoning approvals, Building Permits, site plans, interpretations and general correspondence pertaining to individual properties, dating to the 1940s, are maintained. These records are critical to aiding staff in verifying compliance with the Zoning Ordinance for individual properties. Such records are a tremendous resource for various County agencies, property owners, developers and development industry representatives, to conduct research as part of due diligence when considering purchasing properties. The records are available for inspection by the public, at the public counter and phone line provide valuable information to customers pertaining to the Zoning Ordinance and the development processes. These records and the Zoning reviews of permits are critical to ensure that development occurs in accordance with the County Zoning Ordinance, and thus the Board's policies and the County Vision Elements.

Description

This LOB is performed by staff in the Zoning Permit Review Branch and consists of several tasks and functions which are designed to ensure or verify that development within the County complies with the Zoning Ordinance.

- **Zoning review of Building Permits:** to ensure structures comply with the Zoning Ordinance and proffers or development conditions associated with any zoning approvals. These reviews are performed on building permits for new home construction, new commercial buildings, additions to residential and commercial structures, New Tenant Layout permits for new commercial tenants, and new accessory structures such as decks, sheds, garages, pools, etc.
- **Non-Residential Use Permit (Non-RUP) issuance:** Whenever a new tenant occupies a commercial space, an existing tenant changes their name, or there is a change of ownership, a Non-RUP must be obtained.
- **Home Occupation Permit Issuance:** to ensure that home-based businesses are in compliance with the Home Occupation use limitations, thus ensuring the residential character of the neighborhood.
- **Temporary Special Permit (TSP) Issuance:** administrative approval and issuance of TSPs for temporary uses, such as fairs, festivals, carnivals, seasonal sales, construction trailers, etc.
- **As-Built Height Certification Approvals:** review the As-Built Height Certifications required of any new single family dwelling proposed to be built within 2 feet of the maximum permitted building height. This review and approval is required before a Residential Use Permit (RUP) or Occupancy Permit for residences can be issued.

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- **Special Exception, Special Permit and Variance Application Tracking/Extensions:** ZPRB maintains a tracking system to monitor the status of special permit, special exception and variance approvals. Maintenance of the system requires research to determine if there has been any approval or issuance of site plans, building permits, Non-RUPs, or requests for extensions of time. Each month, staff researches the cases due to expire within a few months, to see what level of activity has commenced on the site and/or arranges an inspection of the property by a zoning inspector to determine if the use is operating in compliance with the conditions of approval. As warranted, staff sends a warning letter to the applicant to alert them that their approval is about to expire, and whether they have options to request additional time or other extensions.
- **Maintenance of Property Files:** Copies of all Zoning Reviews of Building Permits, Non-RUPs, Height Certifications, TSPs, and varied correspondence and reports from other Branches within DPZ, as well as copies of site plans and parking approvals are filed within the Property Files. When a new site plan or subdivision is approved by the Department of Public Works and Environmental Services (DPWES), ZPRB staff creates a new file to reflect the subdivision name or address for the commercial site, properly labels the file, and annotates the front of the file with any Rezoning approval and relevant proffers that must be checked prior to any approvals. Upon construction of a single family detached dwelling and the issuance of a RUP, the submission of a final House Location Plat is required. ZPRB staff reviews the House Location Plat by comparing the plat to the approved grading plan, and verifying that the constructed house complies with the Zoning Ordinance requirements, and any proffers associated with the development. Once approved, the plat is filed in the Property Files. Staff also routinely repairs the aging and heavily used files to maintain them in good condition.

Digitization of the Property Files: Since 2013, DPZ has been digitizing the ZPRB Property Files. This effort is prompted by the physical constraints of maintaining the volume of records which date back 70 years and the deteriorating condition of older paper files. Digitization of these records will preserve these records in perpetuity, eliminate misfiling and missing records, and ultimately make the records much more accessible to County staff and the public. Digitization is a long-term effort, due to the volume of records to be digitized. ZPRB staff, with the assistance of the DPZ IT staff, are entering, scanning, and indexing all the new permits reviewed and issued on a daily basis. The task of scanning historic records is being handled by the DPZ IT branch. Historic records must first be reviewed before they can be scanned and indexed. Reviewing files can take up to 6 hours per file. As a result, the reviewing, scanning and indexing tasks are time consuming and labor intensive.

Benefits

- **Property Files** – The Property Files are the most comprehensive repository of records regarding development on individual properties that are maintained by the County. The files are utilized by property owners, development industry representatives and staff from several County agencies.
- ZPRB staff are the only County staff that compares the Building Permit application with the grading plans, the building plans and the Zoning Ordinance. Discrepancies are detected and sister agencies are alerted to ensure that all parts of the permit application are accurate.
- **Non-RUP Issuance** – Verify that the applicant has obtained all necessary building permits and inspections prior to the opening of a business.
- **Home Occupation Permits** – Home Occupation Permits for home-based businesses benefit the community by allowing people to work out of their homes, thus reducing traffic on local roadways.
- **Tracking of Special Exceptions, Special Permits and Variance Applications** – Informs an applicant/property owner of the status of special exception, special permit and variance approvals.
- **Provision of Information** – Zoning and development process information is provided to customers both in person and over the phone.

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Mandates

Pursuant to Sect. 18-103 of the Zoning Ordinance, the Zoning Administrator shall administer and interpret the Zoning Ordinance. All of the functions of this LOB are directly involved in the administration and interpretation of the Zoning Ordinance.

Trends and Challenges

Trends:

- Speed up processing – In response to requests from the development industry, the County is seeking ways to shorten the time it takes to process various development plans and permits.
- Digitization – There is a growing expectation by both the public and staff that information should be available in digital form and on the web. As such, a growing presence on the web, the acceptance of electronic applications, and the digitizing of historic records and current applications are underway.
- Volume of Applications – has slowly increased over the past several years.

Challenges:

- Staff turnover – It takes approximately one year to fully train a new Planning Technician in ZPRB policies, procedures and responsibilities, so that they can fully and independently perform job duties. As the Planning Technician position is often seen as an entry level planning position, especially for recent college graduates, new hires often only stay 1 to 2 years and subsequently move on to professional level planning positions. As a result, much time is spent in the interviewing and training processes.
- Complexity of Applications – With more properties involving mixed uses and subject to complex proffers or development conditions, it is more time consuming to verify whether a particular permit complies with the relevant approved proffers.
- Accuracy of Work by Staff – Reviews are very detailed, and each type of use, business or building permit is subject to different Zoning regulations and/or processes. It is a major challenge for ZPRB staff to apply all the proper reviews or regulations, especially when such regulations periodically change.
- Inaccurate or Incomplete Applications – Often ZPRB staff encounter Permit Expeditors, Architects or property/business owners who are unable to provide all the necessary information needed in order to allow the Zoning review to be completed or a permit to be issued. Common deficiencies include: incorrect property address, incorrect building permit number, missing information such as number of seats and employees in a restaurant, the number of students and staff in a school, square footage they are attempting to occupy, etc.

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Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
LOB #76: Zoning Permit Review and Maintenance of Property Files			
FUNDING			
Expenditures:			
Compensation	\$936,952	\$906,140	\$931,133
Operating Expenses	82,801	66,955	66,758
Total Expenditures	\$1,019,753	\$973,095	\$997,891
General Fund Revenue	\$209,650	\$213,490	\$208,525
Net Cost/(Savings) to General Fund	\$810,103	\$759,605	\$789,366
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
Positions:			
Regular	13 / 13	13 / 13	13 / 13
Total Positions	13 / 13	13 / 13	13 / 13

Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Number of Zoning Reviews on Building Permits	10,257	10,053	10,081	10,250	10,250
Number of Zoning Reviews on Building Permits for single family detached residences	NA	NA	780	1,020	1,000
Percent of Zoning Reviews for new single family dwelling Building Permits that are performed within 5 business days	NA	NA	91%	87%	90%
Number of Non-RUP reviews	2,513	2,327	2,648	2,600	2,600
Number of Building Height Certifications	307	247	250	250	250

The metrics for the Zoning Permit Review and Maintenance of Property Files LOB measure the number of zoning reviews for Building Permits, Building Permits for single family detached residences, Non-Residential Use Permits (Non-RUPs) and Building Height Certifications. Although the goal is always to complete 100 percent of zoning reviews within 5 business days from the receipt of the request for a single family detached single family dwelling, that goal is unattainable due to staff workloads, staff turnover, and the amount of time and research that is required to complete certain complicated building permit reviews. Therefore, the goal of this LOB is to complete 85 percent of the zoning reviews for building permits for single family dwellings within 5 business days of receiving the permit.

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The number of building permits, building permits for single family detached residences, Non-RUPs and Building Height Certifications is a significant means of showing the amount of construction activity in the County, and therefore the economic condition of the County. Large numbers of issued permits indicate robust construction activity and economic vitality. Generally, construction activity has increased in the last five to ten years as the overall economy has improved. However, there is some economic uncertainty in the Washington metropolitan area due to the impacts of sequestration. As a result, the number of building permits, building permits for single family residences, Non-RUPs and Building Height certifications has remained fairly constant since FY 2013. It is anticipated that the volume of permits should remain fairly constant through FY 2017, and it is projected the Branch will generally maintain the same volume of workload.

The output metrics discussed above show the overall workload for the Zoning Permit Review Branch. However, in order to measure the service quality of the Zoning Permit Review Branch, the metric also measures the percentage of single family detached Building Permit reviews that are done within 5 business days of receiving the request. It is critical that this review be done expeditiously as this review is required before a Building Permit can be issued and delays in approval can result in additional costs to the homeowner. Since ZPRB staff are the only County staff comparing the site related plans (Infill Lot Grading Plans, Subdivision Grading Plans, Conservation Plans) to the architectural building plans, to ensure that the plans match and comply with the Zoning Ordinance, the zoning review is rather detailed. As such, these permits are required to be dropped off for assignment to a technician for review. Additionally, a Secondary Supervisory Review is required for houses reviewed by new technicians. Customers are advised that it can take 10 business days, but typically such reviews take only a few days if coordination with other agencies or other complications do not arise. Although this metric has not been tracked in prior years, approximately 91 percent of the reviews were completed within 5 business days in FY 2015 and approximately 87 percent of the reviews have occurred within 5 business days in FY 2016 to date. It is noted that 4 new planning technicians have recently been hired in ZPRB, and it is anticipated that the review time should decrease in the future as no supervisory review would be required.