

# CREATING A UNIFIED DEVELOPMENT CODE

## RESEARCH AND RECONNAISSANCE

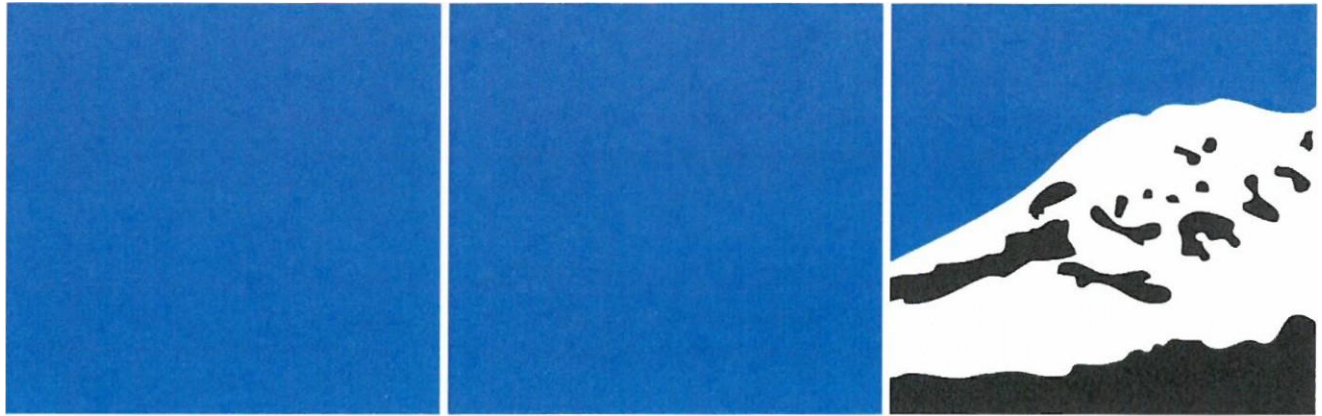
### Early Implementers: A San Antonio Case Study (Benefits, Challenges, and Recommendations)

JANUARY 2014



City of Tacoma  
WASHINGTON

PLANNING AND DEVELOPMENT SERVICES



# Chapter 1 Introduction

## 1 What is the land use simplification process?

The City of Tacoma Planning and Development Services Department is in the process of streamlining the City's land use approval and permitting process. The land use simplification process includes several interrelated elements that are each being looked at in order to maximize efficiencies within and between City departments, and to provide a better customer experience for those seeking permits and approvals. This report is specific to the creation of a Unified Development Code (UDC), which will consolidate existing permitting regulations into a single document.

Currently, land use and development related regulations are "housed" in several different documents, and approvals are made by a variety of departments. Sometimes the regulations are duplicative or contradictory. Often, they lead to unintended outcomes, cause delays, and do not incorporate enough flexibility for staff to make judgment calls or allow for administrative approvals.

In 2013, the City processed 5,469 building permits, 2,467 site development permits, and 224 land use permits. Many of these permits are in support of economic development activities that create jobs, enhance and revitalize the downtown, add or rehabilitate housing, and support modernization, safety, and technology enhancements in our schools.

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### What is a Unified Development Code?

A Unified Development Code (UDC) is a single ("unified") document, containing existing zoning and subdivision regulations, along with any other development-related regulations found elsewhere in the City code of ordinances.

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Currently, land use regulations can be found in the following codes, documents and ordinances:

Title 2 (Building)  
Title 10 (Public Works)  
Title 11 (Traffic)  
Title 12 (Utilities)  
Title 13 (Land Use Regulatory Code)

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## **2 Why is the City of Tacoma going through this process?**

The project is being done in order to improve predictability, consistency, efficiency, and communication during the permitting process. In doing so, City departments will run more efficiently, with better integration, and the external client will have a higher level of certainty regarding project approvals and construction.

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Providing a predictable, customer service oriented, efficient process allows for increased economic development and investment, while protecting the natural, built, social, and cultural assets that define a community.

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## **3 What are the steps along the way?**

The Planning and Development Services department is undertaking a three-pronged approach to simplifying the land use approval and permitting process. These are:

### **People**

Provide a culture where people are given the tools, training, and leadership support that empowers staff to perform their jobs at the highest level of efficiency and customer service. This includes reviewing organizational structure, job titles and expectations, and career paths, which the department has been doing throughout 2013 and will likely continue into 2014 and beyond.

### **Process and Tools**

Ensure that processes and tools are in place that allow for consistency, accuracy, and efficiency. This includes permit software (the City is currently switching to a new software platform, called Accela) and other technologies that are specifically chosen to support both the end use customer and staff. Accela is planned for implementation in August of 2015.

### **Policy**

Develop regulations that are easy to use, amend, and interpret. This includes consolidation of existing codes and ordinances into a single Unified Development Code (UDC). The City is budgeting to retain a consultant to compile the UDC in 2015.

The remainder of this report will focus on research completed as of January 2014.



#### 4 What other cities have undergone a similar Unified Development Code process?

Several federal agencies, including EPA and HUD, have offered grant funding and technical support to many cities, including Las Vegas, Tucson, and the City of San Antonio. The focus of the EPA and HUD has been on the role of the UDC in implementing "Smart Growth" policies that include low impact development, sustainable design, green infrastructure, and transit-oriented development.

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When done right, codes make it easier for a community to implement its vision. However, when they are out of date, don't line up with the vision, or are in conflict, codes can actually inhibit development.

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Development codes regulate where and what type of development may occur, including land use, density, setbacks, and transportation requirements. When done right, codes make it easier for a community to implement its vision. However, when they are out of date, don't line up with the vision, or are in conflict, codes can actually inhibit development.

Because of this, there has been a lot of national focus around the creation (or consolidation) of a single source document to house land use and development policy. The City of Tacoma is looking to the early implementers with strong UDCs as examples for how best to approach preparing a single-source development and permitting reference guide for Tacoma.

#### 5 Why is the City of San Antonio a good model?

The City's planning consultant, Parametrix, reviewed materials provided on line through HUD and EPA, including the results of several grant-funded code projects throughout the west. Based on this review, as well as the fact that City Manager TC Broadnax worked at the City of San Antonio during the consolidation update of their UDC, the City of San Antonio was selected as a good case study.

The City of San Antonio is the second largest city in Texas and 7th largest city in the United States, encompassing approximately 467 square miles geographically within Bexar County and currently has 1.3 Million residents. Because of the

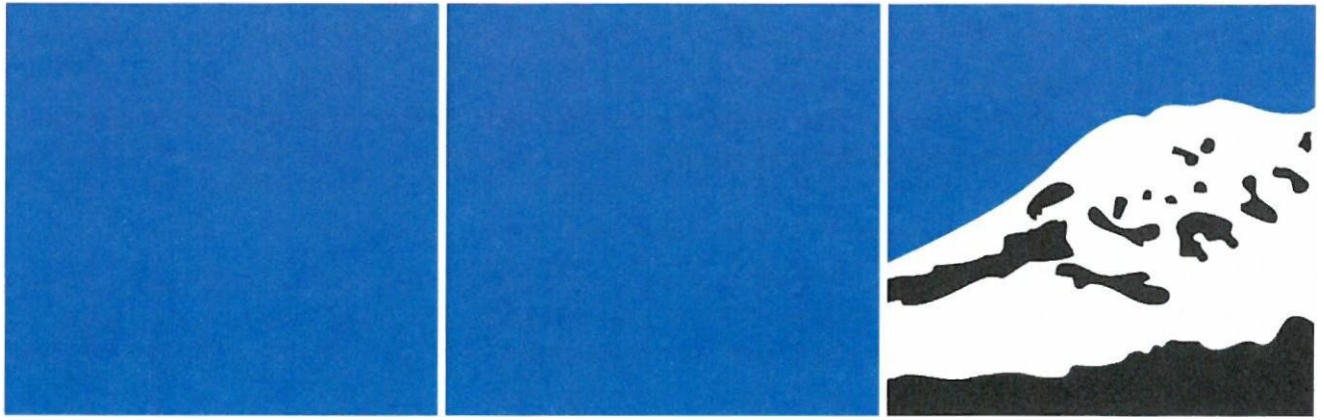
size of the City, and the lack of growth management laws, the city is still experiencing significant residential subdivision growth at its outer reaches. However, redevelopment and infill of the city center and existing suburban areas are also important to the City.

The City did a major update and overhaul of their UDC in 2002. They now have 10 years of history and data, and have done several subsequent updates, and because of that have a unique perspective of what worked, what didn't, and why. Their lessons learned are valuable, and will be useful in helping to craft Tacoma's UDC process.

## **6 What was the purpose of the research and reconnaissance trip to San Antonio?**

The purpose of the research trip to the City of San Antonio was to learn first-hand about the process the Development Services Department (DSD) went through to consolidate and update their UDC. The information will be used to help write the City of Tacoma's RFP for consultant services in creating a Unified Development Code.

Participants included Peter Huffman (Planning and Development Services Manager), Rueben McKnight (Historic Preservation Officer), and Susan Devine (Planning Consultant, Parametrix). The trip took place December 9-11, 2013.



## Chapter 2 Findings and Themes

### 1 How many interviews were conducted?

On December 10 and 11, 2013, there were nine separate meetings held, with 20 City of San Antonio staff present. Meetings occurred primarily in the City's Development Services Department's "One Stop" building, which houses the planning, permitting, and code enforcement groups for the City. There are over 375 total staff in these groups.

In 2002, the City of San Antonio adopted their updated Unified Development Code, and moved into their current location. According to Department management, integrating not only the code, but the people charged with shaping and enforcing it, was key to the City's approach. The UDC now includes all the zoning and subdivision regulations, the One Stop center maximizes efficiencies by co-locating city and franchise utilities staff, and the leadership both exhibits and requires a "can do" attitude around service, collaboration, and accountability.

Interviews, which were typically 1 — 1/2 hours in duration, were summarized on questionnaire forms which can be found in Appendix A.

## **2 What Departments were consulted?**

The goal of the research trip was to meet with as many representative groups as possible, in order to get well rounded feedback. Based upon prior communications, and input from City of San Antonio staff, meetings were conducted with management from each of the three Development Services Departments (see Appendix B for City organization charts), as well as the group managers and key staff within those departments.

The first meeting focused on the DSD leadership, including Director Ron Sanchez, and his three Assistant Directors; John Jacks (Land Development), Terry Kennawin (Plan Review), and Mike Shannon (Field Services). It was very clear that these leaders set the tone for the department, and in subsequent meetings over the next two days, almost every participant recognized that the success of the UDC, and DSD in general, was due primarily to the strong leadership style.

There is an expectation of performance, transparency, and facilitation that the leadership sets, both internally with staff and externally to the development community. There is an obvious and pervasive sense of mutual respect, and a culture that emphasizes customer service.

The following departments/groups/functions were consulted as part of the interview process:

### **Land Development**

- Zoning Entitlements
- Policy/interpretation
- Historic Preservation
- Plan Review
- Engineering
- Traffic
- Environmental (urban forestry)
- Permitting
- Special Projects (outreach)

#### Field Services

- Inspection (commercial and residential)
- Code Enforcement

#### Administration

- Management
- Human
- Resources
- Training
- Finance

#### City Attorney's Office

### 3 What were the key findings and take aways?

Perhaps the most important lesson learned was that the updated (combined) UDC itself was only one component of the success that the City is experiencing with their enhanced development services delivery process. Most important was having strong leadership in place, with a focus *on facilitation* rather than *regulation*, which has led to a renewed trust with the development community and a more engaged staff.

The City is still using old, cumbersome, and out dated software. Selection and implementation of a new software package is the next step, which they intend to undertake in 2014.

The benefits and challenges described below are in relation to the UDC only, and are not intended to further discuss leadership, culture, or software. However, it is important to note that the City of Tacoma is taking on each of these elements concurrently with the UDC project. This will enhance the effectiveness of the UDC itself.

#### **Greatest Benefits**

Based upon the stakeholder interviews, the greatest benefits of the UDC have been:

All codes and implementing ordinances are in one place, and therefore easy to find;



For the most part, the combining of the zoning and subdivision chapters identified and eliminated inconsistencies and contradictions in the previous code;

There is enough flexibility in the code to allow staff to make judgment calls when needed;

The phone lines are answered by staff that are empowered (and trained) to address questions, rather than a "general reception line" that transfers all calls to specific departments;

### **Greatest Challenges**

Staff listed the following as the biggest challenges with the UDC:

Over time, it has gotten very thick and unwieldy, primarily due to the numerous amendments in the early years (initially, amendments were processed every year, then every two years, and now the UDC is on a five- year update schedule);

The development professionals (real estate, developers, builders) have a venue for discussion and input, but small developers and citizens that may only do one project are more removed from the process and tend to have more questions and concerns, and a general lack of understanding of how to use the UDC (this is largely off-set by the One Stop location, and the customer service mentality of front desk staff);

There needs to be enough time devoted to review of the combined UDC, with a small group that has the right technical expertise to adequately review the code;

The initial draft from the code consultant was strong, but in many ways, the adopted version was watered down due to too many reviewers.



## Chapter 3 Recommendations and Next Steps

### 1 What are the recommendations for moving forward?

Based on literature and agency research, as well as input from the City of San Antonio Department of Development Services, the following recommendations should be considered as the City of Tacoma moves forward with refining their current permitting and approval process:

#	Recommendation	Action Item(s)	Implementation Team	Milestone/Schedule
1.	Continue to work concurrently on all levels of the bigger land use simplification project	People – continue to refine roles, integrate departments and groups, train, and foster leadership and culture of collaboration	Huffman Johnson Huffman, PMX	On-going throughout 2014
		Process- Adopt and utilize Accela, continue permit expediting process	COT, PMX	Aug 2015
		Policy - Address and update regulations (UDC)	COT, PMX	1 <sup>st</sup> Qtr 2014
2.	Create an Internal Alignment Plan	Outline communication plan and protocol, internally and between departments Address expectations for the outcome	Huffman PMX	February 2014
		Establish Steering Committee and Technical Advisory Committee roles and responsibilities for UDC review and draft		
		Identify outside stakeholders that should be engaged, and when		

#	Recommendation	Action Item(s)	Implementation Team	Milestone/ Schedule
3.	Assimilate the current codes into a single document	Compile existing regulations, codes, and ordinances into one document	PMX	2014
	Conduct a "first step audit" of existing codes to highlight:	Prepare summary table that identifies issues and provides recommendations for resolution	PMX	2014
	o Conflicts			
	o Inconsistencies			
	o Duplication			
	o Alignment issues			
	o Outdated technologies			
4.	Based on results of Internal Alignment Plan, Code consolidation, and initial audit, retain consultant services to prepare code language for the UDC	Develop draft RFP language for review, approval, and distribution	PMX COT	2014
		Publish RFP	COT	2014
		Review proposals, conduct interviews, select code consultant	COT, PMX	2014
		Negotiate code consultant scope, schedule, fee	COT	2014
5.	Develop UDC	Starting with summary table from initial audit, prepare UDC	COT PMX Code Consultant	June 2014- December 2014
6.	Review, Approve, and Adopt UDC		COT PMX Code Consultant	Adopt December 2014





# Appendix A

## Stakeholder Interviews





## **Appendix B**

**City of San Antonio Organizational Charts**

**Development Services Department Mission  
Statement**

## ***MISSION STATEMENT***

***PARTNERING WITH OUR COMMUNITY TO BUILD AND MAINTAIN A SAFER SAN ANTONIO.***

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### **PROGRAM INFORMATION**

The [Development Services Department](#) is responsible for protecting the health, safety, and quality of life of the citizens of San Antonio through regulation of land and building development and through enforcement of property maintenance and quality of life related codes. The department seeks to facilitate an efficient and effective development process that supports economic development. These processes include granting authority to develop land, construct, and occupy buildings. More specifically, the department is responsible for [rights determination](#), [subdivision mapping/parcel addressing](#), [zoning](#) and [subdivision administration](#), [building codes enforcement](#), [contractor licensing and registration](#), [landscaping](#), [tree preservation](#), [sign regulation](#), and [traffic impact analysis](#). Since City development involves partnerships with other [City departments](#) and [outside agencies](#), the department seeks to facilitate the coordination of these reviews to provide responsive customer service throughout the [development process](#). In addition to facilitating land and building development, the department manages programs to help ensure minimum quality of life standards such as [maintenance of property](#), [dangerous structures](#), and [graffiti](#). These programs are dedicated to results-oriented and community-driven service delivery to help make San Antonio a vibrant and inviting community where people desire to live, work, and play.

The Department also provides administrative and technical support to boards and commissions that direct and review issues on land development, construction regulations, and property maintenance. These boards include the [Building-Related and Fire Code Board of Appeals and Advisory Board](#), [Board of Adjustment](#), [Zoning Commission](#), [Planning Commission](#), and [Building Standards Board](#).

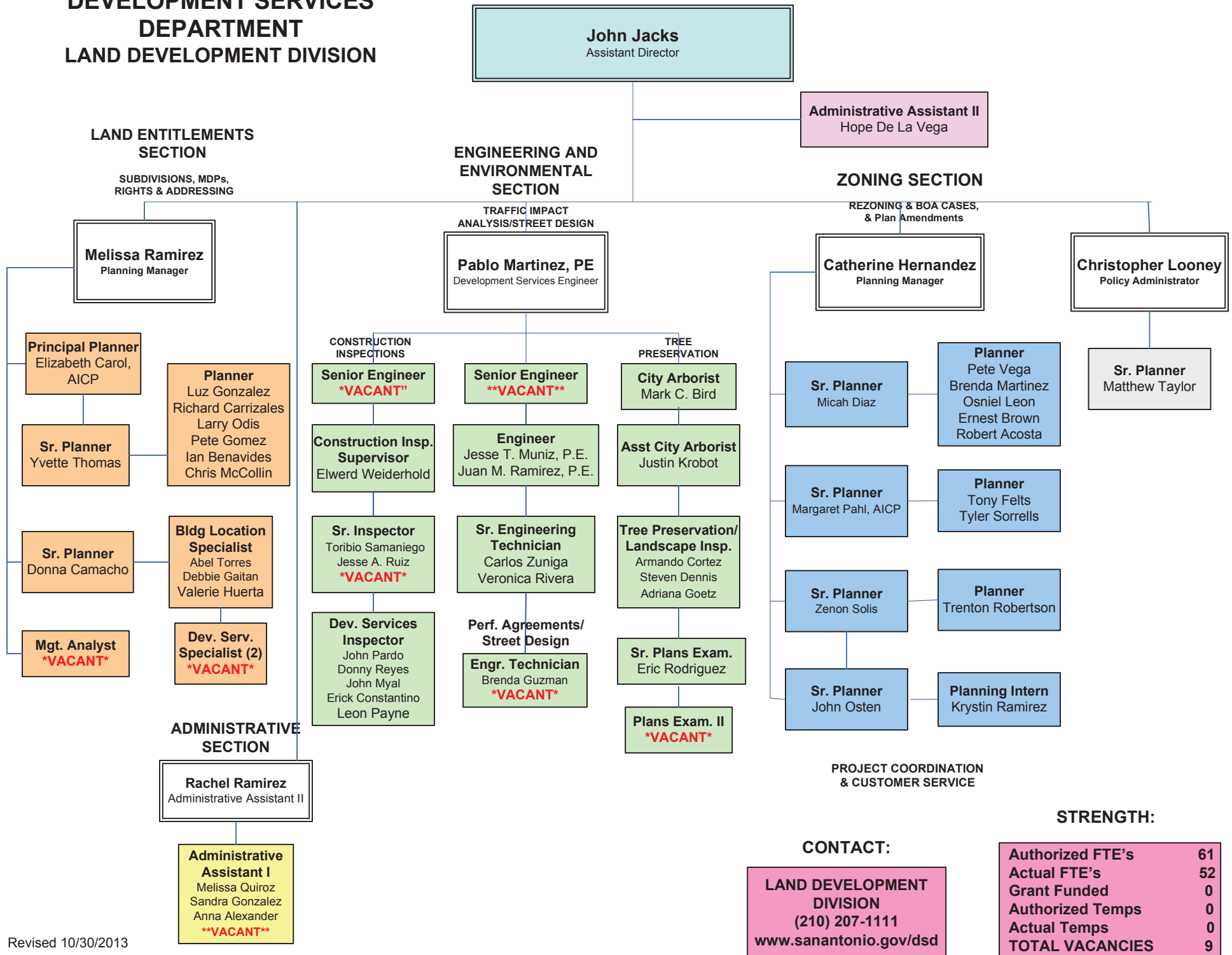
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### **GOALS & OBJECTIVES**

- ◆ Protect the health, safety, and quality of life of the citizens of San Antonio.
  - Increase participation in the development of building-related codes at a national level.
  - Provide more leadership in Building Officials Association of Texas to explore best practices in the enforcement of building codes.
  - Maintain accreditation of the department by International Accreditation Services, Inc.
  - Partner with other City departments to find alternative means to address underutilized properties.
  - Support other City development-related initiatives.
  - Pursue Absentee Property Owner Registration Ordinance approval from City Council.
- ◆ Improve cycle time.
  - Streamline and improve code enforcement and graffiti abatement processes.
  - Implement reprioritized response strategies to focus resources on key health and safety and blight issues.
  - Proactively offer Conditional Permits for interior demolitions while re-model plans are under review.
  - Reduce cycle time for stand alone demolition permits from 8 business days to 3.
- ◆ Ensure consistency and quality of services provided.
  - Increase the percentage of staff with non-mandatory certifications.
  - Conduct two San Antonio Building Codes Academy (SABCA) events.
- ◆ Promote customer service philosophy to facilitate development and maintenance of property.
  - Develop Customer Satisfaction Outreach Program.
  - Expand the use of combination inspectors.
  - Implement team approach for key projects such as; inner city projects and high profile projects.
  - Standardize the communication protocol for Neighborhood Association meetings to include improvements of information distribution and staff follow-up.

- Improve Code Enforcement TVSA program.
  - Implement Neighborhood Outreach Plan to include development of Neighborhood Advisory Group and customer service performance standards.
  - Coordinate free public service announcement campaign to educate residents about top ten code violations.
- ◆ Enhance use of on-line services
- Implement full scale use of electronic plan review.
  - Implement route optimization and customer notification of inspector arrival at job site.
  - Develop application to allow scheduling an inspection using a Smartphone
  - Improve Event Notification system to receive plan review /inspection results in real time.
  - Work with the Information Services Technology Department to make improvements to existing mainframe data information system.
  - Implement Land Development Systems for Platting, PUDs, MDP, Rights Determination, Street Renaming, and Fair Notice.
- ◆ Enhance employee development
- Develop Sensitivity Training Programs for managers and supervisors to help effectively deal with employee issues.
  - Provide staff training on programs offered through Employee Assistance Program, such as dealing with stress, handling personal finances, and budgeting.
  - Develop calendar of training programs to focus on (1) code knowledge, (2) customer service, (3) public integrity, and (4) employee wellness.
  - Implement more coaching and feedback session with front-line staff.
  - Institute formal code enforcement continuing education program.
  - Develop plan to institute certification pay program for Code Enforcement officers and investigators.

# DEVELOPMENT SERVICES DEPARTMENT LAND DEVELOPMENT DIVISION

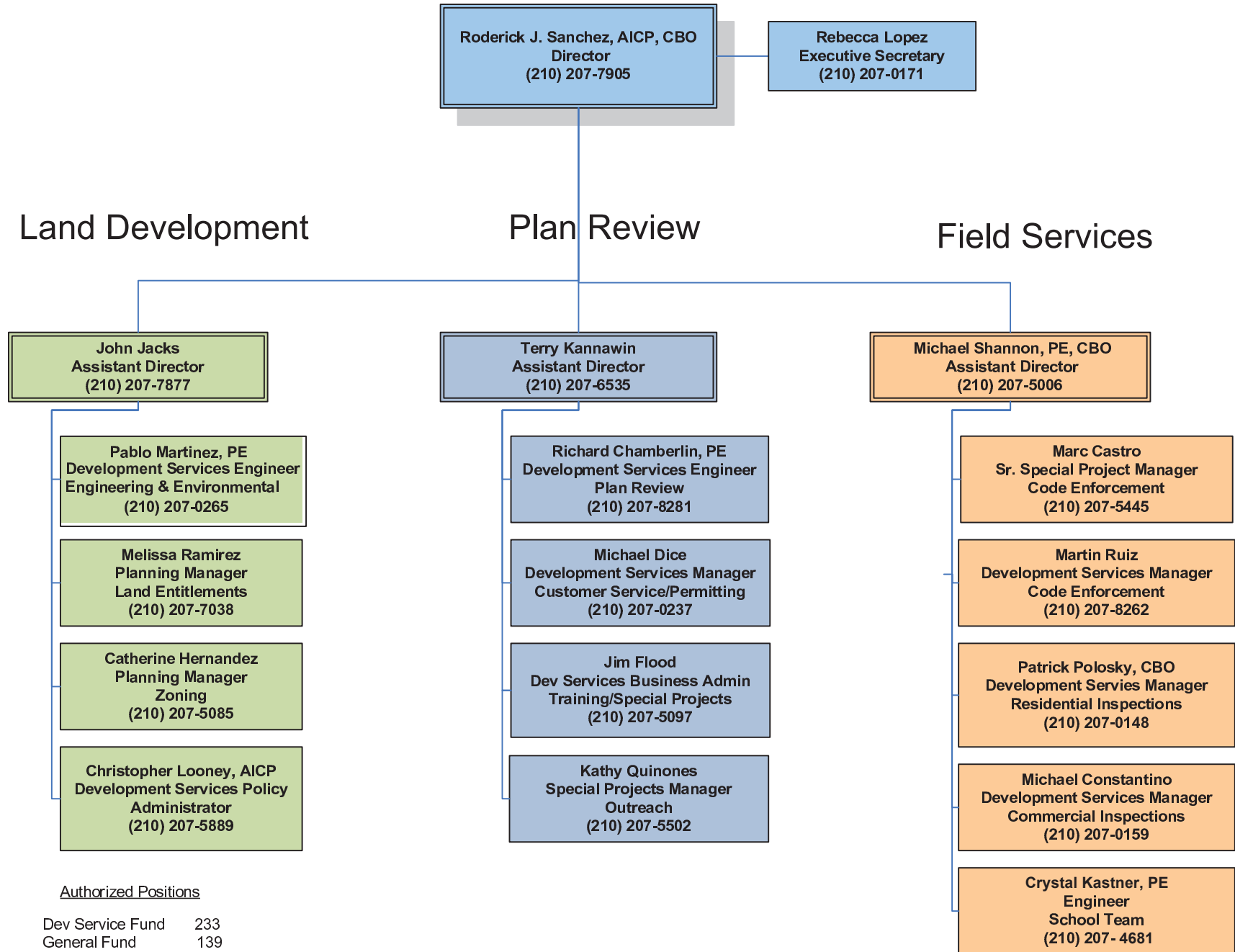


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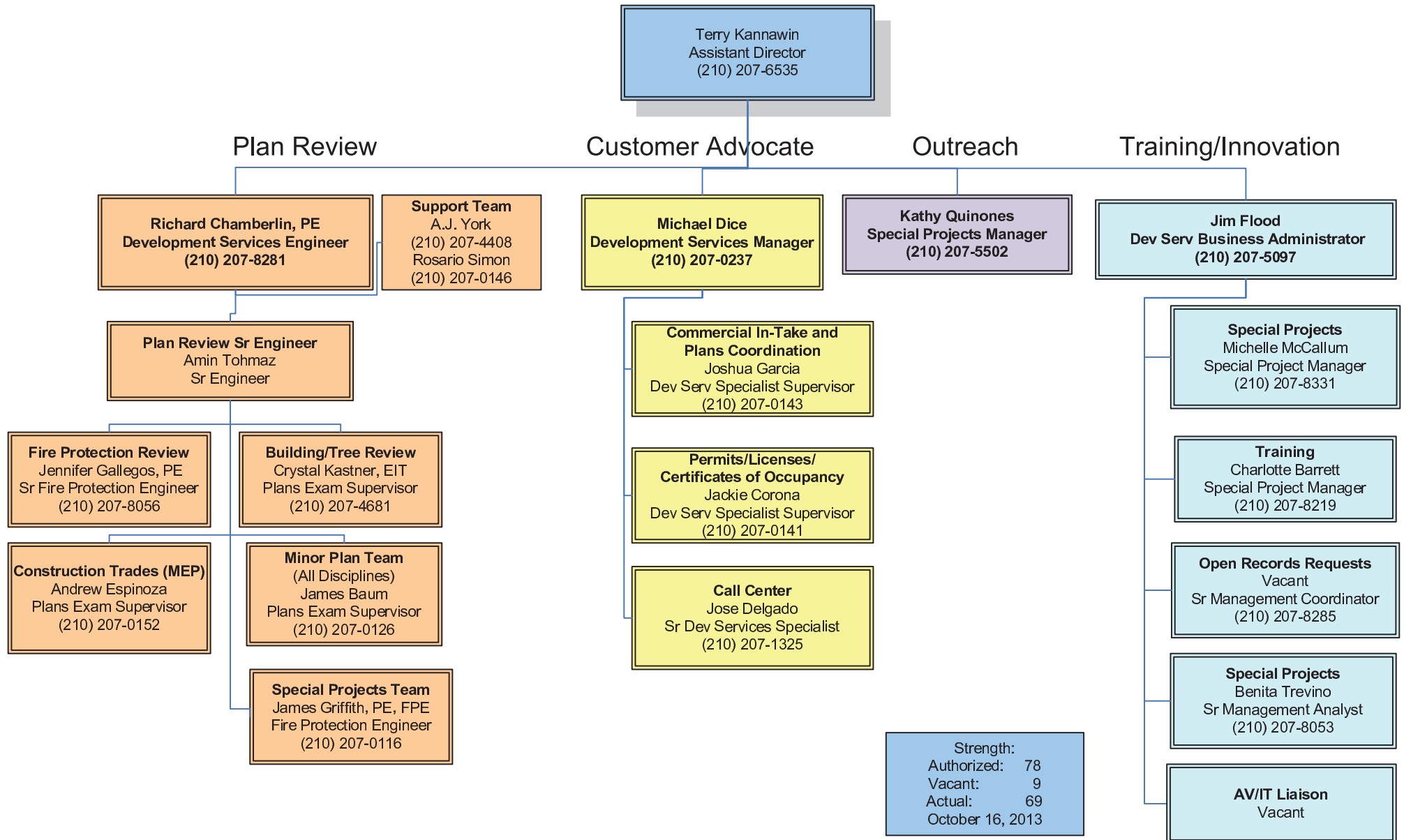
# Development Services Department



## Authorized Positions

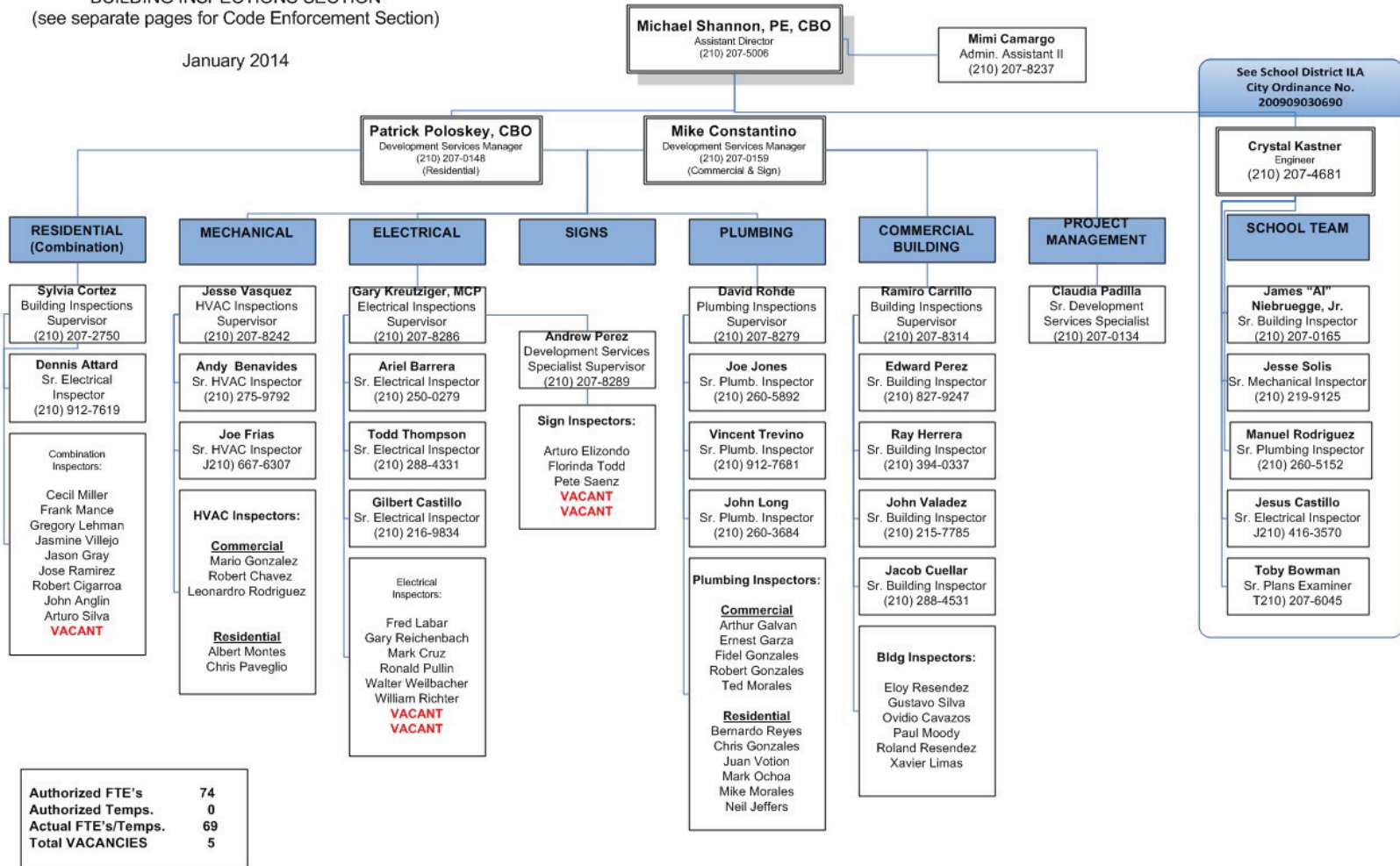
Dev Service Fund	233
General Fund	139
Grant Fund	3
<b>Total</b>	<b>375</b>

# PLAN REVIEW DIVISION



**FIELD SERVICES DIVISION  
BUILDING INSPECTIONS SECTION**  
(see separate pages for Code Enforcement Section)

January 2014





**City of Tacoma Unified Development Code  
(Land Use Simplification Project)  
Recon and Research: Interview Questions for COSA staff**

Name: Norbert Hart
Department: City Attorney
Role in the development/review/approval process:
Were you at the City prior to the UDC implementation? Mr. Hart joined the City in 2002, during the final phases of implementation of the UDC update
If “yes” – were you involved in making the change from the old system? His role was to review the changes and reconcile differences between the 1987 code and the 2001 code. There were a lot of problems created with the consolidation.
What are the greatest benefits of having a UDC? Mr. Hart felt that the city is "deal" driven, not "development" driven, and that the developers wrote the UDC and the planners try to fit the deals into the UDC or find a way around it.  Having the rules all in one place is a benefit for the public.
What are the primary challenges that you face? The biggest challenges are with the amendments. Initially, it was amended every year, but now it is every 5 years.  Citizens cannot submit recommendations to amend the UDC - those can only come through commissions and Council. The Planning Commission is developer-driven.
Do you have any “lessons learned” or other Best Practices thoughts to share with our team? The amendment process is not good, and the organization of the UDC has deteriorated in the last 10 years due to the amendment process. The 2011 amendment was over 300 pages.
What kind of customer feedback do you get? It depends what you want - City of Austin automatically denies all applications because they are trying to carefully manage growth. The City of San Antonio approves things quickly because it's all deal oriented, and they want growth.



**City of Tacoma Unified Development Code  
(Land Use Simplification Project)  
Recon and Research: Interview Questions for COSA staff**

Do you feel that the approval process is simpler and quicker?

The UDC does not drive the approval process. The performance measures are geared toward the developers. The UDC identifies development rules for COSA, which he feels has an "administrative culture of facilitating development."

For staff?

The UDC is just local rules. The development process is quicker but not necessarily simpler.

For customers/users?

The UDC and the culture at DSD has made things better for developers but not for citizens.

Is there a financial impact or benefit (to City, to customers) in going through the UDC vs the previous/other systems?

In terms of permit tracking software, what do you use?

How does the software interface with the UDC process?