

# ENVIRONMENTAL SERVICES AGENCY

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## COUNTY OF SAN MATEO

590 HAMILTON STREET, 4TH FLOOR • REDWOOD CITY • CALIFORNIA 94063

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March 19, 1998

David Spiselman, Chair  
Mid-Coast Community Council  
P.O. Box 64  
Moss Beach, CA 94038

SUBJECT: MCCC notification of planning hearings/decisions

Dear David:

Supervisor Gordon has asked me to respond to several points you discussed with him recently.

First, we would be happy to send the MCCC copies of Planning Commission and Zoning Hearing Officer agendas and minutes free of charge and I have taken steps to make that happen. They will be sent to the MCCC at its post office box. I assume you will arrange for their distribution from there.

Second, you have asked about earlier notice of hearings or pending decisions. First, I must distinguish between ministerial approvals, such as building permits, and discretionary approvals, such as planning and zoning permits. We do not provide notice of ministerial permits because we do not exercise any discretion in the issuance of those permits. If they meet County requirements, they must be issued, so State law does not provide for notice and hearing on such permits.

Discretionary permits are another story. Our current practice is to send the MCCC (and the two other community councils) a standard project referral shortly after an application is deemed complete. This is at the beginning of the review process, generally several months before any decision is made. This is the standard referral we make to any public agency which might be affected by or have an interest in the project.

We also send the Councils notice of any hearings or pending decisions at the same time that notice goes to other parties who are entitled to receive it, such as surrounding owners, the agencies which received referrals and other persons who have requested notice. By law, this is

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generally done ten days prior to any hearing or decision which requires it. Thus, this tends to come toward the end of the review process.

My understanding is that you would like the hearing or decision notice to go to the MCCC 20 rather than 10 days prior to any hearing or decision. We are not in a position to adjust the hearing/decision notification process to a schedule different from that specified in State law. What I can do, however, is ask planners to notify the Council when the planners submit their request to place an item on the Planning Commission or Zoning Hearing Officer agenda. That generally occurs about three weeks prior to the meeting.

Please understand that, at that point in the process, the hearing of an item is tentative. As the item goes through its final review process here, we may conclude that it is not yet ready for hearing and we may pull it from the agenda before the agenda is published and distributed (about 10 days prior to the meeting). Also, some items are placed on the agenda late, up to the date when notice is legally required. While that is the exception, we must reserve our right to do that. Finally, the legal notice has not yet been prepared at the agenda request date, so we will need to work out a format for the notice to the Council and I suspect it will be an abbreviated version of our normal legal notice. Since you will have had a prior referral on any such project, I don't think this special notice to the Council needs to be as complete. File number, location, applicant name and project planner should suffice. Finally, staff reports will continue to be prepared on our normal schedule, which generally involves mailing about one week prior to a hearing. We will send the notice to the Council mail box, as you have requested.

Having agreed to that, I now have a suggestion for you to consider: that the Council adopt a delegated case management approach to the review of our permit applications, similar to our own approach and that used by savvy developers. That approach basically involves delegating to one person the responsibility for managing any given case and maintaining liaison with other organizations involved in the review of a project. Terry Burnes discussed this approach with Chuck Kozak sometime back and had what he thought was a very constructive talk about what could be done to improve communication between our office and your Planning and Zoning Committee.

Our suggestion was and remains that the Planning and Zoning Committee organize itself to screen our referrals shortly after receipt to determine which projects merit their attention. Those could then be divided among the members of the Committee so that there is one liaison, or case manager, assigned to each project you intend to pursue. That person could then contact the project planner in our office assigned to the case to inform the planner that they will be the Council liaison on that project. The Council liaison could then get whatever additional information they need and present the case to the Planning and Zoning Committee or the Council itself.

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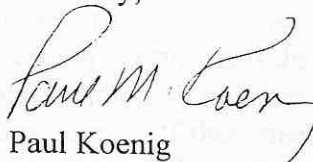
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The Council or Committee could then set their general position on the case, hopefully with some room for maneuvering on the part of your liaison and could direct the liaison to follow the matter through the County review process. The liaison could then inform the project planner, preferably in writing, of the Council's position and periodically check the project's status with the project planner. As a result, our staff would better understand the Council's position and the Council liaison would stay informed of new developments in a case. The liaison would also know when the case is likely to go to hearing and could begin to prepare for that at an appropriate point in advance, including additional review by the Council if necessary.

I believe that by adopting that sort of case management approach you would be more in touch and in synch with the process, get more out of the process and have greater influence on the outcome of the process. Chuck indicated he would share those thoughts with the Planning and Zoning Committee and I now share them with you, for what they're worth.

We are committed to informing the public about our work and I believe the staff makes a sincere effort in that regard, but I must also note that, for a variety of reasons, notification is an inherently unpredictable process. Many different people are involved, records upon which notice is based are not always up-to-date or correct, mail delivery has its shortcomings and there can be simple mistakes and oversights on both the sending and receiving end. We will do our best to keep the Council informed about projects as they proceed, but there will be times when that doesn't happen properly. I hope you will understand that to be the result of simple unintentional mistakes or misinformation and that you will treat it accordingly.

Sincerely,



Paul Koenig  
Director of Environmental Services

cc: Supervisor Rich Gordon  
Terry Burnes, Planning Administrator  
Bill Rozar, Development Review Services Manager  
Jim Eggemeyer, Senior Planner  
Mark Duino, Long Range Planning Services Manager  
George Bergman, Senior Planner  
Michelle Mojas, Planning Commission Secretary  
Tiare Pena, Zoning Hearing Officer Secretary