

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, APRIL 06, 2022**

**MINUTE ORDER NO. 10**

**SUBJECT: NOTICED PUBLIC HEARING:  
ORDINANCE AMENDMENTS TO ESTABLISH PROCEDURES FOR THE  
CLOSING OF INACTIVE PERMIT APPLICATIONS (DISTRICTS: ALL)**

**OVERVIEW**

On November 20, 2019 (9), as part of the County's Sunset Review Process, the Board of Supervisors (Board) directed PDS staff to provide draft amendments to the County Zoning Ordinance and County Subdivision Ordinance to outline a new process for handling inactive projects. The Board also adopted an option for the applicant to request an extension of the inactive permit application for an additional two years due to extenuating circumstances, for a total length of time not to exceed six years; and amending the Ordinances to include a definition of the term "inactive permit application" and a definition of the term "extenuating circumstances" that would warrant an extension of an inactive permit application for a period of up to six years.

Additionally, the Board directed staff to review the remaining 123 idle projects, notify the applicants of the option to withdraw their projects within 60 days, and directed the Chief Administrative Officer to return to the Board with proposed criteria by which the Director of PDS could recommend denial of an inactive permit application.

Today's action is a request to amend two County Ordinances, the Zoning Ordinance and Subdivision Ordinance, to regulate how discretionary permits are handled if there is no activity by the applicant to complete processing the permit by mandating, they be automatically withdrawn by PDS staff from consideration after two consecutive years of inactivity unless an extension is requested. In that case, two additional two-year extensions may be granted, depending on the circumstances. If adopted, the Ordinance Amendments will effectively replace Board Policy I-137, which is set to expire in April of 2022.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

On April 6, 2022:

1. Find that the Ordinance Amendments to Establish Procedures for the Closing of Inactive Permit Applications (Ordinance Amendments) comply with the California Environmental Quality Act (CEQA) and State CEQA Guidelines because the Ordinance Amendments are not a project as defined in the Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(5), and therefore are not subject to CEQA pursuant to CEQA Guidelines Section 15060(c) (Attachment C).
2. Recommend that the Board of Supervisors approve the introduction of the Ordinance (first reading), read title and waive further reading:  
AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE, TITLE 8, DIVISION 1, TO ADD A PROCEDURE FOR THE CLOSING OF INACTIVE PERMIT APPLICATIONS (Attachment A).

3. Recommend that the Board of Supervisors approve the introduction of the Ordinance (first reading), read title and waive further reading:  
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO ADD DEFINITIONS AND PROCEDURES FOR THE CLOSING OF INACTIVE PERMIT APPLICATIONS (Attachment B).

If on April 6, 2022, the Board of Supervisors takes the action recommended above related to the introduction of the Ordinance, then, on April 27, 2022:

1. Consider and adopt the Ordinance (second reading):  
AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE, TITLE 8, DIVISION 1, TO ADD A PROCEDURE FOR THE CLOSING OF INACTIVE PERMIT APPLICATIONS (Attachment A).
2. Consider and adopt the Ordinance (second reading):  
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO ADD DEFINITIONS AND PROCEDURES FOR THE CLOSING OF INACTIVE PERMIT APPLICATIONS (Attachment B).

### **EQUITY IMPACT STATEMENT**

Planning & Development Services (PDS) is guided by several Regulatory Codes, Administrative Codes, and Board Policies to serve the region and customers consistently and equitably. The recommendation to amend the County's Zoning and Subdivision Ordinance (Ordinance Amendments) establishes a procedure for closure of inactive permit applications based on criteria selected by the Board. The Ordinance Amendments will provide clarifying language and continue to guide departmental project processing practices. The effort is not focused on a specific neighborhood but is applied throughout all unincorporated communities. Additionally, this effort provides options to reduce the staff time and cost spent on permit processing of projects deemed inactive.

### **FISCAL IMPACT**

There is no fiscal impact associated with the Board of Supervisors (Board) receiving, considering, and adopting amendments to the San Diego County Zoning Ordinance and Subdivision Ordinance as presented today.

Should the Board approve amendments to the Zoning Ordinance and Subdivision Ordinance, staff will combine the costs of this project with other Zoning Ordinance clean-up items as part of the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in PDS. Applicants are responsible for all costs associated with the processing of idle projects. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Vargas, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing and took action as recommended, to further consider and adopt the Ordinances on April 27, 2022.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER  
Clerk of the Board of Supervisors



**Signed**  
**by** Andrew Potter