

FREQUENTLY ASKED QUESTIONS (FAQ)

NOTICE:

On October 21, 2009 (6), the Board of Supervisors (Board) enacted Board Policy I-137, titled "Processing Inactive Projects." This policy directs Planning & Development Services (PDS) to place projects with a history of inactivity into idle status where they are put on an administrative hold. The Board Policy was put in place at a time when the region was experiencing a significant economic downturn, referred to as the Great Recession. It was difficult for some customers to obtain financing to complete discretionary permit applications, and the policy was implemented to assist customers and reduce staff time keeping inactive projects open.

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.

On April 6, 2022, the Board of Supervisors adopted new procedures for the processing of inactive projects.

When is a project considered inactive?

A project is "inactive" if the applicant has not submitted the information and/or funds necessary to continue processing the project within 12 months of a County-issued scoping letter or iteration letter.

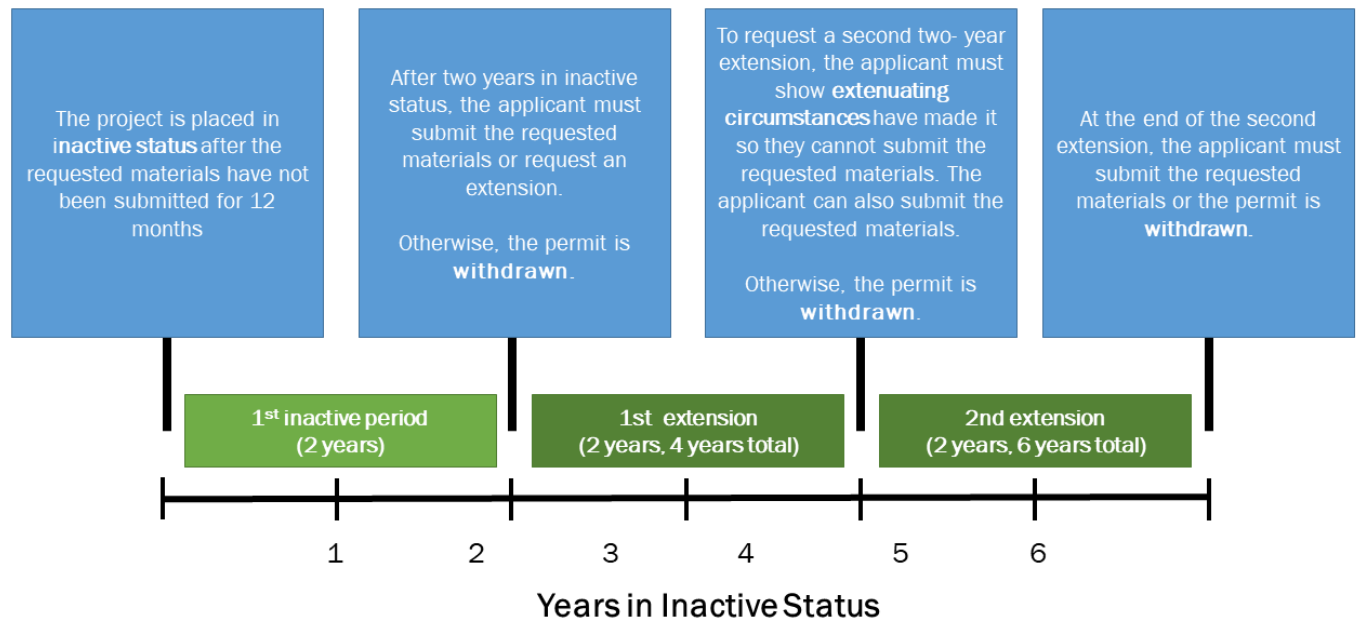
How are inactive projects handled?

If a project has been unresponsive or inactive, the project manager will reach out to the applicant and provide a notice that the project will be placed into inactive status unless the requested materials are submitted. If staff receives no response, staff will brief the Idle Project Coordinator to place the project into idle and on the idle tracking list. Once a project has been deemed "inactive", the project may stay in inactive status for two years. **Inactive projects** are discretionary permits that have a history of inactivity where the applicant has not made progress to complete the project. A project is considered "inactive" when the application materials requested by County staff have not been submitted for several years.

After a project has been inactive for two years, the applicant must submit the requested information or request an extension, otherwise the project will automatically be withdrawn. PDS will notify the applicant by phone, email, and mailed notice 60 days prior to the date the permit would be automatically withdrawn. When a project is withdrawn, the project is no longer in process and a new application would need to be filed in order to move forward.

If the applicant requests an extension, it may stay inactive for an additional two years, for a total of four years. At the end of the first extension, the applicant may apply for a final two-year extension if there are "extenuating circumstances" applicable to the project. If the applicant does not request the final 2-year extension, the permit would be automatically withdrawn.

Please see the figure below for a timeline of the process for Inactive Projects:



What are the “extenuating circumstances” when I can apply for a second extension?

Extenuating circumstances include events or requirements that are out of the control of the applicant, such as:

- Requirements or review from other government agencies like the Army Corps of Engineers or the Department of Fish and Wildlife,
- The need to complete studies during a specific time period such as seasonal biological surveys or traffic counts during the school year,
- New environmental issues that affect the project
- And financial hardship, such as loss of financing, change in circumstances affecting a loan, or unanticipated and/or extraordinary costs.

What is the total amount of time a project can be inactive status?

A project may be in inactive status for a total of four years. At the end of the four years, the permit application is automatically withdrawn. If Planning and Development Services determines that there are extenuating circumstances that apply to the project, it may be in inactive status for a total of six years. At the conclusion of six years, the permit application is automatically withdrawn.

How do I know if my project will be withdrawn due to being inactive?

PDS will notify the applicant and owner by phone, email, and mailed notice 60 days prior to the date the permit would be automatically withdrawn.

How do we handle projects currently inactive prior to the Board's action?

Projects that were in idle prior to the Board Action on April 27, 2022, will be subject to the new Idle policy described above. This means they will have the ability to remain in inactive status for two years with two extensions up to a total of six years if there are extenuating circumstances.