
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2005-25

**A Resolution Recommending that the Board of Supervisors Establish
County Policy for Maximum Timeframes for Permit Application
Inactivity**

- WHEREAS the Mariposa County Planning Department (Mariposa Planning) is responsible for processing current planning applications including, but not limited to, applications for land divisions, lot line adjustments, variances, conditional use permits, general plan amendments, zoning ordinance amendments, general plan and zoning map amendments, specific plans and specific plan amendments, parcel mergers, mining and reclamation plans, bed and breakfast and transient rentals, and design review; and
- WHEREAS Mariposa Planning has established minimum requirements for application submittals pursuant to established county ordinances and policies, and state law; and
- WHEREAS the purpose of the minimum requirements for application submittals is to ensure there is adequate information available to staff, affected agencies, the public, and decision makers, in order to review and take action on the project in accordance with established laws and policies; and
- WHEREAS the purpose of the minimum requirements for application submittals is also to ensure that the applicant pays for all of the costs associated with processing their private development project; and
- WHEREAS upon receipt of a complete application, Mariposa Planning processes applications pursuant to established county ordinances and policies, and state law; and
- WHEREAS the processing of applications involves other affected state and local agencies; and
- WHEREAS state law establishes maximum timeframes within which Mariposa Planning staff must process a complete application; and
- WHEREAS there are occasions where applications are put "on hold" and are inactive, and are not processed by staff. This can occur when additional information or processing fees are needed from an applicant and staff is awaiting receipt of that information or the fees. This can occur when an applicant is revising their application or project to address comments received during the agency comment period; and

WHEREAS when an application is formally “on hold”, this “stays” the state requirements for processing timeframes; and

WHEREAS when an application is “on hold” or inactive for an extended period of time, application information can get stale or dated, so that it is no longer useful. This is particularly true for information submitted for the project’s environmental determination pursuant to the California Environmental Quality Act; and

WHEREAS development standards and requirements change over time, and projects are typically designed in accordance with the requirements in effect at the time a project is submitted; and

WHEREAS the lead agency must take action on an application in accordance with the standards and requirements in effect on the date of project action; and

WHEREAS when an application is “on hold” or inactive for an extended period of time, the applicant may be under the erroneous impression that Mariposa Planning staff is still processing the application or that the application will be processed pursuant to the standards in effect at the time the application was submitted; and

WHEREAS staff still spends time on an application which is formally “on hold” or inactive, even though that time is not processing time. Staff often spends time addressing concerns of the community or affected property owners or affected agencies, and that time takes away from the time available to staff to spend on other active current planning projects; and

WHEREAS a project which is “on hold” or inactive for an extended period of time is often never completed or built as applicants’ objectives may change over time, community values may change over time, and local and regional economies may change over time.

NOW THEREFORE BE IS RESOLVED, the Mariposa County Planning Commission hereby recommends that the Board of Supervisors establish the following policy:

Planning Project applications which are “on hold” or inactive for a period of six (6) consecutive months or more may be closed by Mariposa Planning staff without the consent of the applicant, and staff shall refund unused fees if applicable. Inactive applications are defined as a) applications for which additional information has been required by staff and the required information has not been received, and/or b) applications for which additional application or processing fees have been required and the additional required fees have not been received, and/or c) applications which have been formally put on hold by the applicant for purposes of redesigning their project and the new design has not been received.

BE IT THEREFORE FURTHER RESOLVED, this recommended policy is based upon the following findings:

1. There is no public benefit served by keeping a project application “on hold” or inactive indefinitely.
2. There is no benefit to the project applicant served by keeping a project application “on hold” or inactive indefinitely.
3. It is a disservice to the public and to an applicant to keep a project “on hold” or inactive indefinitely.

BE IT FINALLY RESOLVED THAT the Planning Commission recommends that this policy be effective immediately and that it may be applied to applications currently on file with Mariposa Planning.

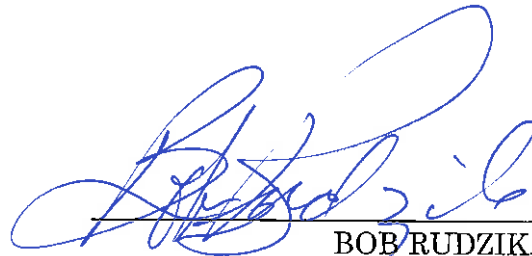
ON MOTION BY Commissioner Skyrud, seconded by Commissioner Ross, this resolution is duly passed and adopted this 22nd day of July, 2005 by the following vote:

AYES: Ludington, Ross, Rudzik, De Santis,

NOES: None

EXCUSED: None

ABSTAIN: None



BOB RUDZIK, Chairman
Mariposa County Planning Commission

Attest:



TRACY GAUTHIER
Secretary to the Commission