



## Legislation Details (With Text)

**File #:** 20-0562 **Version:** 1

**Type:** Agenda Item **Status:** Approved

**File created:** 4/14/2020 **In control:** Board of Supervisors

**On agenda:** 5/5/2020 **Final action:** 5/5/2020

**Title:** Planning and Building Department, Economic Development Division, recommending the Board approve Resolution 078-2020, providing a one year tolling of land use entitlements that are valid on the effective date of this Resolution and submitted within one year thereafter, extending the permit two years from the initial expiration date, and permits that are valid on the effective date of this Resolution and submitted within one year thereafter, for one year from the initial expiration date assigned in the County of El Dorado. (Est. Time: 30 Min.)

**FUNDING:** General Fund and Permit Revenue.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - CRS for Tolling Resolution, 2. B - Interim Tolling Resolution, 3. Executed Resolution 078-2020

Date	Ver.	Action By	Action	Result
5/5/2020	1	Board of Supervisors	Approved	Pass

Planning and Building Department, Economic Development Division, recommending the Board approve Resolution **078-2020**, providing a one year tolling of land use entitlements that are valid on the effective date of this Resolution and submitted within one year thereafter, extending the permit two years from the initial expiration date, and permits that are valid on the effective date of this Resolution and submitted within one year thereafter, for one year from the initial expiration date assigned in the County of El Dorado. (Est. Time: 30 Min.)

**FUNDING:** General Fund and Permit Revenue.

### **DISCUSSION / BACKGROUND**

On March 12, 2020, the County's Public Health Officer declared a state of emergency in El Dorado County due to COVID-19 health and safety impacts. On March 17, 2020, the Board of Supervisors adopted Resolution 051-2020 ratifying the Declaration of a Local Health Emergency by the Public Health Officer due to an imminent and proximate threat to the public health from introduction of COVID-19.

The current outbreak of COVID-19 has the potential to delay the start and completion timelines for the construction of land development projects, and the land use applications and approvals/permits for these projects are at increased risk of expiring. The processing, approval, and issuance of land use entitlements and associated permits represent a substantial investment of time, money, and effort toward the successful completion of these projects, and expiration of these approvals represents a significant loss for the owners, and the County in the form of future discretionary revenues including property tax, sales tax and transient occupancy tax.

These conditions warrant and necessitate measures to mitigate adverse economic effects that may

be experienced by businesses and property owners during this emergency. Implementing these measures to mitigate these adverse economic effects are consistent with General Plan Policies 10.1.2.1 and 10.1.2.2, which promote improving, streamlining and monitoring permit processing procedures.

Resolution 078-2020 extends all Administrative Permits (Code Section 130.52.010), all Minor Use Permits (Code Section 130.52.020), all Conditional Use Permits (Code Section 130.52.021), and all Design Review Permits (Code Section 130.52.030) that are valid on the effective date of this Resolution and submitted within one year thereafter, extending the permit two years from the initial expiration date. No application or payment of a fee is required for this extension. The extension granted by this section is in addition to, and does not affect the future ability to apply for extensions as provided for in Code Section 130.54.060(B).

Resolution XXX-2020 also extends all Septic, Well, and Building Permits issued and applied for, including Grading Permits, that are valid on the effective date of this Resolution and submitted within one year thereafter, for one year from the initial expiration date assigned; the permit holder does not need to apply or pay a fee to obtain this one-year extension. The extension granted by this section is in addition to, and does not affect the future ability of permit holders to apply for, the renewals and/or reactivations of permits set forth in Code Sections 110.32.210, 8.39.190, 110.16.020 and 110.14.220.

The extensions shall not apply to:

1. Any permit that was issued to resolve a code enforcement action on the property on which the permit was granted;
2. Any permit subject to regulation under the Tahoe Regional Plan.

This resolution is an interim resolution as it is anticipated that the economic conditions that are impacting land development will improve within one year. If conditions have not improved within this time frame, staff may return to the Board with a request to extend the term of the Resolution.

### **ALTERNATIVES**

The Board could choose to not adopt the Resolution, and keep existing expiration dates for land use entitlements and permits in place.

### **PRIOR BOARD ACTION**

On March 17, 2020 (File #20-0419) the Board ratified the local emergency and local health emergency.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel  
Chief Administrative Office  
Environmental Management

### **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

There may be a negligible short-term cost associated with the Interim Tolling Resolution in that the revenue typically received for the processing of the permit extension would not be taken in; however, neither would the cost associated with the staff time to process the request for the permit extension. The potential long-term costs would be the same; however, the long-term benefit in the form of future discretionary revenue, such as property tax, sales tax and transient occupancy tax, by allowing these projects to move forward without further delay is anticipated to far outweigh any short-term cost.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain the Chair's signature on one (1) original of the Resolution.
- 2) Clerk of the Board will provide one (1) certified copy of the signed Resolution to the Planning and Building Department.

#### **STRATEGIC PLAN COMPONENT**

Economic Development: This item encompasses all aspects of this strategic plan component with the ultimate goal of enabling a prosperous and vibrant community.

#### **CONTACT**

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