	DEPARTMENT OF DEVELOPMENT SERVICES LAND DEVELOPMENT DIVISION POLICIES AND PROCEDURES	Effective Date: August 7, 2017
		Supersedes Policy Dated: September 15, 2014
	17.3 – PROFFER/CONDITION ANALYSIS	Issued by: Steven B. Hall Land Development Chief

Intent:

A proffer or conditions analysis is intended to provide the most up-to-date and accurate information regarding the completion status of a proffer or condition. Project Managers and Inspectors utilize the analysis to track the status of proffers and conditions at various stages (triggers) of the development process from site/subdivision plan submission through bond release.

This policy establishes proffer/condition analysis submission requirements and the internal processes of County Staff. This policy also provides specific information on the stages of the development process when an updated analysis is due, the submission requirements and certification statement details. The overarching purpose is to assist in the tracking of proffer and condition satisfaction.

New Requirements:


County Staff will develop the “master” proffer or conditions analysis spreadsheet after August 7, 2017 upon Board of County Supervisors (BOCS) approval of any new proffered/conditional rezoning or special use permit.

Any project with existing proffers or conditions shall conform to the requirements of this policy and formal submissions of updated analyses; however, the County will not create the “master” proffer or conditions analysis spreadsheet. The customer shall be responsible for preparing the analysis in a similar format to the attached analysis.

The owner and/or developer, at each of the benchmarks below, shall update the analysis to note and/or identify the completion status of each proffer or condition.

An updated proffer analysis is required in the following development stages:

1. **Plan Review:** No later than the second submission of a preliminary, or final site or subdivision plan, and at the time of any additional required submissions.
 - a. If the review of a plan exceeds six months, an updated proffer analysis is required before plan approval.
 - b. Exception for Rezoning or Special Permit Use Applications going through concurrent review and/or when there has been no “master” analysis created by the County as noted above.

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2. Plan Revisions: At the first submission of any revision to an approved site or subdivision plan, and subsequent required submissions.
3. Bond/Escrow Extension/Reduction: At the application for any bond/escrow extension or reduction.
4. Bond Release: Prior to requests for final bond or escrow release. It is highly recommended that an applicant submit the final analysis to the County as soon as possible upon completion of all proffered items or conditions. Please allow up to 30 days to complete the proffer/condition review if not provided in advance of final bond/escrow release.

The following certifications are required at each stage:

1. Plan Review: Engineer or architect is required to stamp and seal the document at plan submission.
2. Plan Revision: Engineer or architect is required to stamp and seal the document at plan revision.
3. Bond Release: An owner-signed “Certification Statement” prior to final bond/escrow release. This document shall be provided along with the final proffer/condition analysis submission to Bonds Administration.

A proffer or condition analysis is required to be included on the plan sheets of a final site or subdivision plan. This ensures that the information will not be misplaced or lost, and always available with the plans when needed by County staff, including site inspectors, and the general public.

An electronic copy of the proffer or condition analysis is required at each of the above development stages. At plan submissions, the electronic copy of the analysis shall be sent electronically to the Department of Development Services Land Development Project Manager assigned to the project. At application for bond extension/reduction/release, an electronic copy of the analysis shall be sent to the Bonds Administration via email at LDD@pwcgov.org. The owner and/or developer should update the master proffer analysis throughout the life of the project to identify completion status updates.

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Design Guidelines approved as part of a rezoning or special use permit shall be attached to each analysis submitted by the owner and/or developer to the County.

Proffer Analysis Format:

Upon Board of County Supervisors approval of a rezoning or special use permit, Zoning Administration (Planning Office), in coordination with Land Development (Department of Development Services), will develop the “master” proffer analysis within 60 days following BOCS approval of the meeting minutes for the previous meeting where the BOCS acted on the rezoning or special use permit. This is a “target” turnaround timeframe for development of the master proffer analysis; please contact the Planning Office if the analysis has not yet been created for your project.

The analysis will be available in e-Portal attached to the rezoning or special use permit case for downloading or will be distributed electronically to the owner/developer/engineer/applicant for submission at the site/subdivision plan submission stage.

Effective Date:

This policy is effective on August 7, 2017 and will remain in effect until updated, revised, or rescinded by the Director of Development Services.