

Prior Approved Projects – Revised July 19, 2021

A project shall qualify as a Prior Approved Project if it meets the criteria of one of the following Categories:

Category 1. A project will be exempt from HMP and LID requirements if the project's site design is approved or established by one of the following methods no later than July 1, 2018:

- a. The site has a complete application submitted for a tentative map to construct a single-family subdivision; or
- b. The site has an approved Plan Review, Special Permit or Conditional Use Permit, Design Review/Preservation Review entitlement; or
- c. The project has a complete building permit application submitted; or
- d. The project has a set of improvement plans submitted; or
- e. A project being issued a new building permit to complete work commenced under a prior permit may be considered exempt from HMP requirements at the discretion of the local Permitting Agency; or
- f. A Project in a large specific or community plan area that has a drainage master plan approved on or after July 1, 2017 but prior to July 1, 2018.

Category 2. A project will be exempt only from HMP requirements if:

- Discharging directly to a segment of a channel or creek with permitted improvements under a 404 permit or 401 certification from the relevant Federal or State regulatory agencies; and
- The applicant's 404 permit and 401 certification must be currently valid and obtained no later than July 1, 2018.

The Category 2 exemption does not apply for projects with 404 permits or 401 certifications that require hydromodification management, and does not provide exemption from LID requirements.

Category 3. A public agency project will be exempt from HMP and LID requirements if the project's design has been completed (final bid documents submitted) and/or a contract has been advertised no later than July 1, 2018.