



MEMORANDUM

TO: Zoning Staff
Interested Parties

FROM: Jon P. MacGillis, ASLA, Zoning Director *JPM*

DATE: February 12th, 2020

RE: **Time Extension Fees for requests beyond 30 days**

Department of Planning,
Zoning & Building
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Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
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The Unified Land Development Code (ULDC), pursuant to Article 2.A.3.A, Established Dates and Fees for Zoning Division Applications, requires application fees to be assessed in accordance with the fees established by the Board of County Commissioners (BCC), as contained in Resolution [R-2018-0345](#).

ULDC Articles 2.B.4.C.2, and 2.C.4.B.1.b, allow applicants to submit a written request for an extension of time to the Zoning Director when an application is not certified or approved within 120 calendar days of the sufficiency determination. Both, the Agent and the Zoning Director, may agree to a reasonable request for an extension of time. Approved requests are subject to the Time Extension (TE) fee.

Time Extension Fees

Fees associated with Time Extension requests when approved by the Zoning Director are typically for issued for 30 days, as this is the time frame established in the Zoning Calendar for Zoning applications intake cycles. Therefore, the fee assessed is Fee Code-03780 Hearing/Meeting Continuance/Postponement of \$88.00, and adjusted annually based on the Customer Price Index (CPI).

It has recently been brought to my attention by an applicant that when they are requesting a Time Extension for more than 30 days for an application, zoning staff is charging \$88.00 for each 30-day period. Some applicants have stated that in certain cases the fee exceeds the staff time in processing the Time Extension request. Staff experience has been that even though an application has received a Time Extension, on many occasions there are: follow up meetings, ongoing communication between County staff and applicant, agent and/or residents that should be recouped from the time extension fees.

As a result, this memorandum serves to clarify that the Time Extension fee applies to **each 30-day request** until such time that the adopted Official Schedule of Fees is amended by the BCC to afford other options on assessing TE fees by the Zoning Division.

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Furthermore, future Time Extension requests beyond the typically 30 day, shall include in the request an outline of what the applicant proposes to achieve during the TE period, for example:

Time Extension requested for: 60 days:____ 90 days:____ 120 days:____

General examples of reasons:

- Significant modifications to the Request;
- Legal documents to be completed;
- Compliance with State or Federal regulations;
- Funding;
- Natural Disaster;
- Last minute issues (Overlooked compliance/enforcement of specific regulations).

If you have any questions, please contact me at 561-233-5234.