



PLANNING & DEVELOPMENT SERVICES

Director

MEMORANDUM

St. Lucie County Senate Bill 1752 Statutory Extension Procedures

Senate Bill 1752 provides for the automatic two-year extension of FDEP and SFWMD permits and “any local government-issued development order or building permit” that has an expiration date of September 1, 2008 through January 1, 2012.

- Applicants for potentially eligible development orders and building permits must provide a letter to St Lucie County no later than December 31, 2010 requesting the extension and provide the information required.
- A fee of \$500.00 to cover the cost of reviewing and processing extension requests must accompany the written request. (There is a \$75 fee for extensions of building permits not associated with a development order.)
- Once a statutory extension request letter is received, staff will evaluate each request and make a determination of whether the application is substantially in or out of compliance with the conditions of the development order or building permit. In general this review will consist of evaluating each development order for timely addressing of approval conditions. Failure to timely meet conditions of approval that involve dedications of right-of-way, installation of required infrastructure, code enforcement violations or non-payment of proportionate fair share are examples of significant noncompliance.
- Applications found to be in significant noncompliance will be issued a warning letter, notice of violation, and/or be subject to initiation of formal enforcement as applicable. The letter will provide a compliance deadline of December 31, 2010, past which the application will be determined to be ineligible for the statutory extension.
- All other requests for statutory extension must be found to be in significant compliance with all approved development order conditions of approval no later than December 31, 2010.
- Applications found to be substantially compliant with the conditions of approval will have a Planning and Development Services Order prepared memorializing the extension. The extended project is then entered into the PDS and/or Building

Permit database for further tracking and monitoring. The recorded PDS order will be forwarded to the applicant.

- Statutory development order extensions will be granted for two-years from the date of County approval expiration.
- Should staff be unable to determine if a request for statutory extension is not in significant noncompliance, the item may be referred to the BOCC for action. Should a request be denied by staff, any appeal would be to the BOCC.
- Statutory extensions and Land Development Code extensions run concurrently. Once the statutory extension expires, there is no eligibility for a further LDC extension and those wishing to pursue the project must reapply.

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