



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1557, **Version:** 1

Subject:

Approval, Re: Extension for Obtaining Development Application Approvals.

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners extend the timeframe for completing the development application approval process to obtain a permit by the duration of the Governor's Executive Order EO 20-52 plus 90 days.

Summary Explanation and Background:

Florida Statute 252.363 ensures that development projects maintain time that may have been lost during a state of emergency by providing a mechanism to extend the expiration date of permits that have been approved and issued. Essentially, the statute pauses "the clock" for the duration of the state of emergency. It allows the developer/applicant to add the duration of the emergency order plus six months to the expiration date of a permit. The Governor declared a state of emergency on March 9, 2020, in response to the COVID-19 pandemic; however, the extension provision in F.S. 252.363 only applies to approved permits. The statute does not provide relief to development applications in the approval process.

The County is currently processing numerous development applications that have a limited timeline to obtain approval to complete the development process. The COVID-19 pandemic has inadvertently affected these projects and presented challenges for applicants to complete the approval process. If the Board approves this request, staff will apply the proposed extension to all development applications in process by the termination of the declared emergency. Essentially, those development and building applications typical approval timeframe will be extended by the duration of the Governor's Executive Order 20-52 plus an additional 90 days. This provision would only apply to those applications that are in the review process prior to the termination of the declaration of emergency and have no other extension relief mechanism.

Clerk to the Board Instructions:

None