

1310 TIME EXTENSION

1310.01 APPROVAL CRITERIA

A time extension may be permitted only when specified elsewhere in this Ordinance for specific land use permit types.

A. Type II Time Extensions: Except as set forth in Subsection 1310.02, a time extension requires review as a Type II application pursuant to Section 1307, *Procedures*, and shall be subject to the following standards and criteria:

1. The time extension application shall be submitted prior to, but not sooner than one year prior to, the expiration of the initial approval period for the land use permit. However, if the land use permit was modified pursuant to Section 1309, *Modification*, the application for a time extension shall be submitted prior to, but not sooner than one year prior to, the expiration of the approval period for the modification;
2. The proposed development as originally approved, or as modified pursuant to Section 1309, shall be consistent with the relevant provisions of this Ordinance in effect on the date the application for a time extension is submitted, provided that the application is complete when submitted or is made complete pursuant to Subsection 1307.07(E)(5); and
3. There shall have been no changes on the subject property or in the surrounding area that would be cause for reconsideration of the original decision.

B. Type I Time Extensions: Notwithstanding Subsection 1310.01(A), a time extension authorized by Subsections 401.10(B), 406.11(B), or 407.10 for one of the following types of residential development located outside of an urban growth boundary requires review as a Type I application pursuant to Section 1307, and the time extension application shall be submitted prior to the expiration of the initial approval period for the land use permit:

1. Lot of record dwelling on Low Value Farmland in the AG/F or EFU Districts;
2. Lot of record dwelling on High Value Farmland consisting predominantly of Class III and IV Soil in the AG/F or EFU Districts;
3. Lot of record dwelling on High Value Farmland consisting predominantly of Prime, Unique, Class I or II Soils in the AG/F or EFU Districts;

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4. Dwelling not in conjunction with a farm use in the AG/F or EFU Districts;
5. Lot of record dwelling in the AG/F or TBR Districts;
6. Forest template dwelling in the AG/F or TBR Districts;
7. 160 acre minimum forest dwelling in the AG/F or TBR Districts;
8. 200 acre noncontiguous dwelling in the AG/F or TBR Districts;
9. Caretaker residence for public parks and public fish hatcheries in the AG/F or TBR Districts.

1310.02 PROCEDURE

If more than one land use permit (e.g. a partition and a variance) was approved for the same, or substantially similar, proposed development, time extension requests for these land use permits may be consolidated as one application, at the applicant's discretion.

1310.03 APPROVAL PERIOD

Approval of a time extension application approved under Section 1310 is valid for two years from the date of the final written decision on the time extension, or for two years from the date of expiration of the initial approval period for the land use permit, whichever is longer.

[Added by Ord. ZDO-248, 10/13/14; Amended by Ord. ZDO-276, 10/1/20; Amended by Ord. ZDO-280, 10/23/21; Amended by Ord. ZDO-283, 9/5/23]