

COUNTY OF LAKE
POLICY REGARDING THE CONSIDERATION OF REQUESTS FOR REDUCTION OR
WAIVER OF CERTAIN LAND USE APPEAL FILING FEES

I. PURPOSE

The purpose of this policy is to provide the means for the uniform consideration of requests for a reduction in or waiver of County fees for the filing of an appeal to the Board of Supervisors of a land use decision made by a County-approving authority. This Policy authorizes the County Administrative Officer to reduce or waive fees according to requirements of this Policy.

II. POLICY

The County of Lake relies upon the fees assessed for the filing of an appeal with the Board of Supervisors as described hereinabove to recover the costs associated with the staff preparation, presentation and response to each such appeal. Nonetheless, by this Policy, the County of Lake intends to provide for a reduction or waiver of such filing fee in cases of extreme financial hardship.

III. ELIGIBILITY FOR FEE REDUCTION/WAIVER

A. Extreme Financial Hardship. Fees may be waived for filing of an appeal to the Board of Supervisors of a land use decision of a County approving authority only if the County Administrative Officer makes a reasonable affirmative finding that the filing fee in question would result in extreme financial hardship to the requesting person or entity according to the criteria established hereinbelow.

B. Written Request for Waiver. An appellant applying for a fee waiver shall present a request in writing to the Department Head of the department that charges the fee in question.

C. Content of Waiver Request. The request shall contain a description of the project in question along with documentation necessary to establish eligibility for a deferral or waiver. **At least one of the following three criteria must be met:**

1. The Applicant for the fee reduction/waiver receives public benefits from one of the following programs:

- a. Supplemental Security Income (SSI) and State Supplementary Payment (SSP);
- b. California Work Opportunity and Responsibility to Kids Act (CalWORKS) or a federal Tribal Temporary Assistance for Needy Families (Tribal

TANF) grant program;

- c. Supplemental Nutrition Assistance Program or the California Food Assistance Program;
 - d. County Relief, General Relief or General Assistance;
 - e. In-Home Supportive Services (IHSS);
 - f. Medi-Cal;
- 2. The Applicant's monthly income is two hundred percent (200%) or less of the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health and Human Services.
 - 3. The Applicant attests under penalty of perjury that paying the filing fee would cause undue financial hardship, which includes where the applicant's inability to pay for basic household needs, defined as utilities, food, clothing, mortgage-related expenses, or healthcare expenses.

IV. MAXIMUM AMOUNT OF REDUCTION/WAIVER

A maximum amount of up to one thousand dollars (\$1,000) may be subject to a reduction or waiver of an appeal filing fee for each applicant per project per calendar year.

V. DETERMINATION

The Community Development Department shall review the request, determine eligibility and make recommendations in writing to the County Administrative Officer. All determinations shall be made in accordance with the requirements of this Policy.