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## Chapter 19.690 EFFECTIVE DATES, TIME LIMITS, AND EXTENSIONS

### 19.690.010 Purpose.

This chapter identifies the effective date of permit and other approvals and provides requirements (including time limits) for implementation and extension of approval time limits. Unique processing procedures are listed in the individual permit chapters.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

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### 19.690.050 Time extension.

- A. The period within which the exercise of a discretionary permit or other approval must occur may be extended by the Community & Economic Development Department Director, or his/her designee, as described in B—K below. A Temporary Use Permit may not be extended. An application for extension shall be filed, along with appropriate fees and necessary submittal materials pursuant to Chapter 19.660 (General Application Processing Procedures).
- B. Variances, administrative design review actions and Minor Conditional Use Permits may receive a maximum of two, one-year time extensions.
- C. Conditional use permits and Site Plan Review permits, not related to an implementing subdivision and/or legislative action, may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.
- D. Planned residential development permits, minor planned residential development permits, or administrative planned residential development permits, related to an implementing subdivision and/or legislative action, may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued the planned residential development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.
- E. Zoning Text/Map, General Plan and Specific Plan amendments may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions), may grant one

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final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.

- F. Any permit extension may be conditioned to comply with any development standards that may have been enacted since the permit was initially approved.
- G. The extension may be granted only when the Community & Economic Development Department Director or designated Approving or Appeal Authority finds that the original permit findings can be made and that there are no changed circumstances or that there has been diligent pursuit to exercise the permit that warrants such extension.
- H. Retroactive time extensions may be granted for a period not greater than specified in Sections 19.690.050 B, C, D and E F.
- I. A separate fee shall be required for each year of permit extension.
- J. Extensions related to the terms of nonconforming uses and structures are governed by Article III, Chapter 19.080 (Nonconformities).
- K. Time extensions for tentative maps are governed by Chapter 18.180 and State Law as it relates to automatic time extensions.
- L. The period of time specified in Chapter 19.690, including any extension granted by the Community & Economic Development Department Director, or his/her designee, shall not include the period of time during which a lawsuit involving the approval or conditional approval of the entitlement(s) is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Community & Economic Development Department Director. After service of the initial petition or complaint in the lawsuit upon the Community & Economic Development Department Director, the applicant may apply for a stay following the same procedures in Chapter 19.690. Within 40 days after receiving the application, the Community & Economic Development Department Director shall either stay the time period for up to five years or deny the requested stay.

( Ord. 7552 §44, 2021; Ord. 7505 §2(Exh. B), 2020; Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

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