

§ 17.040.100 INCOMPLETE DISCRETIONARY PERMIT APPLICATIONS

(A) Review for Completeness. Within 30 days of receiving a discretionary permit application, the Town shall review the application for completeness and accuracy of required information before it is accepted and acknowledged as being complete and officially filed. When the Town informs the applicant in writing within 30 days following the submission of the application(s) that an application is incomplete and specifies additional information required for completeness review but applicant fails to submit such information within the time limits listed in §17.040.100(A)(1) or (A)(2) below, as applicable, the discretionary permit application shall expire unless the applicant obtains from the Planning Director an approved request for extension.

(1) **General time limit.** An incomplete discretionary permit application shall expire 90 days following the date the Town provides written notice that the application is incomplete, unless the Director grants an extension not to exceed one year. This time limit shall not apply to Section 17.040.100(B) (Initial Application Review for Discretionary Permits – Enforcement cases) below.

(2) **Enforcement cases.** An incomplete discretionary permit application, submitted to resolve a code enforcement matter, shall expire 30 days following the date the agency provides written notice that the application is incomplete, unless the Director grants extensions not to exceed a total of 90 days.

(B) Resubmittal. In the event that a discretionary permit application expires the applicant may submit a new application, subject to all payment of all applicable fees, in accordance with this Code, and the application review process will commence again.

(C) After a discretionary permit application has been determined to be complete, the Town may require the applicant to submit additional information necessary to conduct environmental review or otherwise evaluate the application consistent with applicable requirements.

§ 17.040.110. PERMIT TIME LIMITS AND EXTENSIONS

(A) Time limits, vesting. Unless conditions of approval or other applicable law establish a different time limit, any permit or entitlement not vested within one year of the date of approval shall expire and become void. The permit shall not be deemed vested until, at a minimum, the permit holder has actually obtained a Building Permit or other construction permit and has made substantial progress towards completing the improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval, or has recorded a Parcel or Final Map.

(B) Extensions of time. Upon request by the applicant, the Planning Director may extend the time for an approved permit to be vested.

(1) Filing. The applicant shall file a written request for an extension of time with the Planning Department, at least 10 days prior to the expiration of the permit, together with the filing fee in accordance with the schedule of fees fixed and adopted by the Town Council. The burden of proof is on the permittee to establish, with substantial evidence, that the permit should not expire

(2) Review of extension request. The Planning Director shall determine whether the permit holder has attempted to comply with the conditions of the permit. The Director may instead refer the extension request to the Planning Commission for review.

(3) Action on extension. If the Planning Director determines that the permittee has proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner, the Planning Director may extend the permit for a maximum period of one year following the original expiration date. When granting an extension, the Planning Director may make minor modifications to the approved project based upon a finding a change in the circumstances surrounding the original approval so warrant.

(4) Hearing on extension. If the Planning Director finds that significant policy questions are at issue, the Planning Director may refer the application to the Planning Commission for a public hearing.

(5) Coordination of expiration date among multiple permits. If a Building Permit, or other permit, is issued during the effective life of the entitlement or development application approval, the expiration date of the entitlement or development application approval shall be automatically extended to coincide with the expiration date of the Building Permit or permit.

§ 17.020.130. TIME LIMITS; EXTENSIONS.

Notwithstanding any other provision of this Chapter, any design review permit shall comply with Section 17.040.110 (“PERMIT TIME LIMITS AND EXTENSIONS”) of Chapter 17.040 (“General Zone Regulations”).”

§ 17.028.090 LAPSE; RENEWAL; TERM.

~~—(A) (1) A variance shall lapse and become null and void one year following the date on which the variance became effective unless, prior to the expiration of the one year period, a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application, or a certificate of occupancy is issued for the site or structure which was the subject of the variance application.~~

~~—(2) A variance may be renewed for an additional period of one year; provided that, prior to the expiration of one year from the date when the variance originally~~

~~became effective, an application for renewal of the variance is filed with the Planning Department.~~

~~—(3) The Planning Director may grant an application for renewal of the variance where no change in the original application or any condition of approval thereof is requested, but an application for renewal involving any change from the original application or approval conditions shall be treated as a new application for a variance and shall be subject to all applicable provisions of this chapter.~~

~~—(B) Unless specified otherwise at the time the variance is granted, the variance applies to subject property for an indefinite time and is transferable to any future owner of the subject property.~~

§ 17.028.090. TIME LIMITS; EXTENSIONS.

Notwithstanding any other provision of this Chapter, any permit granted for a variance shall comply with Section 17.040.110 (“PERMIT TIME LIMITS AND EXTENSIONS”) of Chapter 17.040 (“General Zone Regulations”).

§ 17.032.100. TIME LIMITS; EXTENSIONS.

Notwithstanding any other provision of this Chapter, any conditional use permit shall comply with Section 17.040.110 (“PERMIT TIME LIMITS AND EXTENSIONS”) of Chapter 17.040 (“General Zone Regulations”).

§ 17.060.090 TIME LIMITS; EXTENSIONS.

~~(A) Design review approval and exceptions granted under §§ 17.060.060 through 17.060.110 expire within one year of the date of approval if a building permit is not issued for the project unless an extension is granted by the Planning Commission.~~

~~—(B) Extensions may be granted for up to six months at the discretion of the Planning Commission if the applicant demonstrates that the delay was caused by factors beyond his or her control. Notwithstanding any other provision of this Chapter, any permit granted for building in the ridgeline scenic corridor shall comply with Section 17.040.110 (“PERMIT TIME LIMITS AND EXTENSIONS”) of Chapter 17.040 (“General Zone Regulations”).”~~

§ 17.072.140 EXPIRATION.

~~—A hill area residential development permit shall lapse and become null and void one year following the date on which it became effective unless prior to the expiration of the one-year period a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the application.~~

§ 17.072.150 EXTENSION.

~~—A hill area residential development permit may be renewed one time for an additional period of one year; provided that, prior to the expiration of one year from the date when the permit originally became effective, an application for renewal is filed with the Planning Department. The Planning Director may grant an application for renewal where no change in the original application for or any condition of approval thereof is requested, but an application for renewal involving any change from the original application or approval conditions shall be treated as a new application and shall be subject to all applicable provisions of this chapter. At the expiration of the renewal period a new application will be required if a building permit is not issued for the project.~~

§ 17.072.140. TIME LIMITS; EXTENSIONS.

Notwithstanding any other provision of this Chapter, any hill area residential development permit shall comply with Section 17.040.110 (“PERMIT TIME LIMITS AND EXTENSIONS”) of Chapter 17.040 (“General Zone Regulations”).