

## **CHAPTER 30.41 – PERMIT IMPLEMENTATION, TIME LIMITS AND EXTENSIONS**

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### **30.41.010 – Duration of Variance, Conditional Use Permit, Parking Reduction Permit, Parking Use Permit, Development Projects in the SR Special Recreation Zone, Administrative Exception and Density Bonus Housing Plan**

#### **A. Termination.**

Every right or privilege authorized by a variance, a conditional use permit, parking reduction permit, parking use permit, development projects in the SR Special Recreation zone, or Density Bonus Housing Plan shall terminate two (2) years after the granting of such variance, conditional use permit or Density Bonus Housing Plan unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided in this Section.

#### **B. Cessation.**

For variances, conditional use permits, parking reduction permits, parking use permits, development projects in the SR Special Recreation zone, such rights and privileges shall also be terminated at such time as the applicable review authority may designate in the approval of the variance, conditional use permit, parking reduction permit, parking use permit, or development projects in the SR Special Recreation zone review. A variance or a parking use permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the variance for one year or more in the continuous exercise in good faith of such right or privilege. A parking reduction permit may be terminated by the review authority upon any interruption or cessation of the use permitted by the parking use permit in accordance with Section 30.50.070.

#### **C. Extension.**

1. Variances, conditional use permits, design review, parking reduction, parking use permits, development projects in the SR Special Recreation zone, administrative exceptions, and Density Bonus Housing Plan. Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right or privilege has commenced within two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of such variance, conditional use permit, design review, parking reduction, parking use permit, development projects in the SR Special Recreation zone, administrative exception, or Density Bonus Housing Plan.

- a. For cases for which the Hearing Officer is the review authority, the extension may be granted by the Hearing Officer.
- b. For cases for which the Redevelopment Agency is the review authority (or, if the Redevelopment Agency is suspended or eliminated, the City Council), the extension may be granted by the Director of Community Development.
- c. For permits for which the City Council, Design Review Board, or the Director of Community Development is the review authority, the extension may be granted by the Director of Community Development.

### **30.41.020 – Duration of Administrative Exception**

#### **A. Termination.**

Every right or privilege authorized by an administrative exception shall terminate two (2) years after the granting of such administrative exception unless the exercise of such right or privilege has commenced in good faith prior to such time except as otherwise provided in this section.

#### **B. Cessation.**

Such rights and privileges shall also be terminated at such time as the Hearing Officer may designate in the approval of the administrative exception or upon any interruption or cessation of the use permitted by the modification for one (1) year or more in the continuous exercise in good faith of such right or privilege.

### **30.41.030 – Duration of Home Occupation Permit**

The Director of Community Development shall grant a home occupation for a period of time not to exceed five (5) years.

### **30.41.040 – Duration of Zoning Use Certificates/Certificates Nontransferable**

No permit issued pursuant to this chapter shall be transferable or assignable to any person, firm, corporation or other entity. Any change in tenant or occupant of premises, or change in proprietor or owner of a business shall constitute a change for which a new zoning use certificate shall be required. Any change in business location or change of the person or entity from that which is shown on the issued zoning use certificate shall require a new certificate to be obtained.

### **30.41.050 – Duration of Design Review Board's Approval**

All approvals by the design review board or applicable review authority shall be valid for a period of two (2) years except approvals for a sign program which shall be valid until replaced by a later sign program approval. A fence or wall in the street front setback or in the street side setback in the "H" Horse Overlay Zone approved by the design review board must be completely constructed within two (2) years of the date of the design review board approval. All necessary building permits and sign permits must be obtained within this two (2) year period except sign permits on a lot or site involving a sign program. In the event that a building permit or sign permit is obtained in a timely manner and subsequently expires, all design review board approvals shall expire with the building permit or sign permit if such permit expires after the two (2) year period.

**30.41.060 – Duration of Wireless Telecommunications Facilities Permit**

- A. Duration. Unless otherwise required by California Government Code section 65964(b), and as that section may be hereafter amended, a wireless telecommunications facility permit shall have a duration of no longer than ten (10) years. In accordance with requirements established by this Code, at the expiration of the time period set forth herein, the permittee may apply for a renewal of its wireless telecommunications facility permit.
  
- B. Extension. Wireless telecommunications facilities permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right or privilege has commenced within two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of such permit.