

## **SEC. 12.25. TIME LIMITATIONS.**

(Title and Section Amended by Ord. No. 182,106, Eff. 5/20/12.)

### **A. Utilization of Approvals.**

**1. Expiration.** Any approval by the Zoning Administrator, Director of Planning, an Area Planning Commission, or the City Planning Commission as initial decision-makers, pursuant to the provisions of Chapter I of this Code or any ordinance adopted pursuant to Chapter I of this Code, that has not been utilized within three years of its effective date shall become null and void. When approvals are granted as part of a project requiring multiple approvals, however, the expiration periods set forth in Section 12.36 of this Code shall govern.

**2. Utilization.** An approval shall be considered utilized when a valid permit from the Department of Building and Safety has been issued and construction work has begun and been carried on diligently without substantial suspension or abandonment of work. An approval not requiring permits for construction or alteration from the Department of Building and Safety shall be considered utilized when operations of the use authorized by the approval have commenced.

**3. Exceptions.** The following exceptions shall apply:

**a. Religious and Institutional Uses.** Where a lot or lots have been approved for use as a governmental enterprise, religious use, hospital, educational institution or private school, including elementary and high schools, no time limit to utilize the privileges shall apply provided that all of the following conditions are met:

(1) The property involved is acquired or legal proceedings for its acquisition are commenced within one year of the effective date of the decision approving the conditional use.

(2) A sign is immediately placed on the property indicating its ownership and the purpose to which it is to be developed, as soon as legally possible after the effective date of the decision approving the conditional use. This sign shall have a surface area of at least 20 square feet.

(3) The sign is maintained on the property and in good condition until the conditional use privileges are utilized.

**b. Approvals With Effective Dates Between July 15, 2005, and December 31, 2010.** The expiration period of any approval by the Zoning Administrator, Director of Planning, an Area Planning Commission, or the City Planning Commission as initial decision-makers (as well as any approval by a Deputy Advisory Agency acting in the capacity as a Zoning Administrator or as the Director of Planning's designee), pursuant to the provisions of Chapter I of this Code or any ordinance adopted pursuant to Chapter I of this Code, shall automatically be increased by 60 months if the effective date of approval was July 15, 2005, through December 31, 2007; by 48 months if the effective date of approval was January 1, 2008, through December 31, 2008; and 24 months if the effective date of approval was January 1, 2009, through December 31, 2010, provided that the Director makes a written finding that the prior discretionary approval and the required environmental review considered significant aspects of the approved project and that the existing environmental documentation under the California Environmental Quality Act is adequate for the issuance of the extension. This one-time extension of time supersedes any previous extensions of time granted pursuant to Ordinances Nos. 180,647 and/or 181,269.

**B. Planning and Zoning Matters in Litigation.** The time limits set forth in Subsection A. above shall not include any time period during which the approval or the environmental clearance for the approval is challenged in court.

**C. California Coastal Commission Approvals.** The time limits set forth in Subsection A. above shall not include any time period during which the subdivider or applicant is awaiting a land use approval from the California Coastal Commission. The subdivider or applicant shall submit a written request for a suspension of time and a copy of the submitted California Coastal Commission application for such approval to the Department of City Planning within ten days of filing the application with the California Coastal Commission. Suspensions of time shall be automatically granted until the California Coastal Commission has rendered a final decision on the application, including any appeal period. The subdivider or applicant shall submit a copy of the California Coastal Commission's final action to the Department of City Planning within ten days of the final decision.