

20.30F.190 Time limitation.

- A. Expiration of Design Review Approval. A Design Review approval shall expire three years from the date of the Director's final decision under LUC 20.30F.145 to either approve or approve with modifications the underlying application for Design Review.
- B. Automatic Extension of Design Review Approval. A Design Review approval shall automatically be extended as follows:
1. When a complete Building Permit application, meeting the requirements of Chapter 23.05 BCC, is filed before a Design Review approval expires by operation of this section, the Design Review approval shall automatically be extended for the time period during which the Building Permit application is pending prior to issuance. If the Building Permit application expires, is canceled, or is extended pursuant to Chapter 23.05 BCC, the Design Review approval shall automatically also expire, be canceled, or be extended.
 2. When a Building Permit is issued, the Design Review approval shall automatically be extended for the life of the Building Permit. If the Building Permit expires or is revoked pursuant to Chapter 23.05 BCC, then the Design Review approval shall automatically also expire or be revoked. If a Building Permit is issued and then subsequently renewed or extended pursuant to Chapter 23.05 BCC, the Design Review approval shall also automatically be extended for the period of the renewal or extension.
- C. Other Extensions of Design Review Approval. A Design Review approval may be extended pursuant to one or more of the following:
1. LUC 20.30V.190 (Extended vesting period for Master Development Plans and associated Design Review Approval);
 2. A development agreement, but only in circumstances where a separate provision of this Land Use Code specifically authorizes the extension, by development agreement, of the time period that a land use permit or approval remains in effect or its vested status; or
 3. Subsection D of this section.
- D. An applicant for a Design Review may request an extension to the expiration provisions of LUC 20.30F.190.A in the manner described in this subsection:
1. Maximum Extension Period. An applicant may be granted approval for a maximum of two, two-year extensions to a Design Review approval.
 2. Timing of Request for First Extension. The first request to extend a Design Review approval under subsection D of this section must be submitted no greater than 45 calendar days before the expiration of the three-year term described in subsection A of this section.
 3. Approval and Time Limitation of Request for First Extension. The Director shall grant an extension for a period of two years from the original date of expiration of the Design Review approval if the project conforms to the applicable provisions of this Land Use Code in effect at the time that the request for extension is submitted.

4. Timing of Request for Subsequent Extensions. Where a Design Review approval has been granted an extension under subsection D.2 of this section, an applicant for a Design Review may request one subsequent extensions. A request for a subsequent extension must be submitted no greater than 45 calendar days before the expiration of the prior extension.
5. Approval and Time Limitation of Requests for Subsequent Extension. The Director shall grant a subsequent extension for a period of two years from the date of expiration of the prior extension of the Design Review approval if the project conforms to the applicable provisions of this Land Use Code in effect at the time that the request for the subsequent extension is submitted.

E. Vested Status of Design Review Approvals.

1. Where a Design Review approval is issued under LUC 20.30F.145, it shall vest pursuant to LUC 20.40.500.A. Except for Design Review approvals extended under subsection D of this section, the vested status of the Design Review approval shall then expire on the date that the Design Review approval expires by operation of this section:
2. Whenever a Design Review approval is extended under subsection D of this section, the extended Design Review approval shall vest to the provisions of the Land Use Code in effect on the date that extension was granted. The vested status of the Design Review approval shall then expire on the date that the Design Review approval expires or on the date that a subsequent extension is granted under subsection D of this section, whichever occurs first.

20.40.500 Vesting and expiration of vested status of land use permits and approvals.

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B. Expiration of Vested Status of Land Use Permit or Approval.

1. The vested status of a land use permit or approval shall expire as provided in subsection B.2 of this section; provided, that:
 - ...
 - d. The time period established pursuant to subsection B.2 of this section shall not include the time during which an activity was not actively pursued due to the pendency of litigation which may materially affect rights of the applicant for the permit or approval related to that permit or approval; ~~and~~
 - e. Expiration of shoreline permits shall occur pursuant to LUC 20.25E.250.C-; and
 - f. Expiration of Design Review approvals shall occur pursuant to LUC 20.30F.190.