

**Criteria for Review and Approval for
Extension of Expired Site Plan
Section 146-205(E)(1) and (2a-d)**

- (E) Termination of Vested Rights.** A property right that has been vested as provided in this section shall remain vested for a period of three years. If no building permit is issued within three years, the site-specific development plan shall be terminated. Notice of termination shall be mailed to the owner of the affected property by the planning department 30 calendar days prior to the date of termination. The affected landowner may request an extension of the site-specific development plan for up to three years. Such an extension, if granted, shall not create a vested property right. The procedure for an extension is provided below.
- 1. The affected landowner may request in writing an extension of a site-specific development plan within 30 calendar days of notice termination. Upon receipt of the request, the planning director shall determine whether the plan may be extended for an additional three-year period. Notice shall be mailed to all owners of abutting property at least ten calendar days prior to the planning director's decision. An extension of a site-specific development plan shall not create a vested property right.**
 - 2. The planning director shall apply the following criteria in determining whether or not to grant an extension:**
 - a. There is not conflict with this Code, or that any conflict will be corrected by an amendment to the plan, which shall be presented with the request for extension.**
 - b. The applicant has demonstrated that the site plan continues to be compatible with adjacent properties and the surrounding area, or that compatibility may be established by an amendment to the plan, which shall be presented with the request for extension.**
 - c. The applicant has demonstrated that the site plan is consistent with the comprehensive plan.**
 - d. The applicant has demonstrated the site plan is consistent with the regulations, plans, and policies adopted by city council since the site plan was approved.**