

## Building Permit Application Extension & Expiration

INFORMATION BULLETIN

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This Information Bulletin describes rules for the closing of Building Permit applications and establishes requirements for Permit application extensions as authorized in the San Diego Municipal Code (SDMC) [§129.0211 PDF](#).

A Building Permit application is considered closed when a Building Permit has not been approved and issued following receipt of all required project sign-offs and payment of the required issuance fees.

### Closing of a Building Permit Application

A building permit shall be considered closed if two years (one year for applications created before June 1, 2024) have elapsed since the date the application was deemed complete, and the applicant has not requested a Building Permit be issued.

### Extension of Time for Closed Building Permit Applications

The Municipal Code allows extensions of closed applications per Section [§129.0211 PDF](#) of the Municipal Code.

The application close date shall be extended from the last application close date.

In-process Building Permit applications deemed complete on or after June 1, 2023, which have not received an application extension, will be automatically extended 360 days if the application closes on or after June 1, 2024.

New applications created on or after Sept. 4, 2024, the effective date for [Ordinance O-21859 N.S. PDF](#)

In-process Building Permit applications deemed complete prior to June 1, 2023, and which have not received one or more application extensions may apply for additional application extensions available if the application closes on or after June 1, 2024.

New applications created on or after Sept. 4, 2024, the effective date for Ordinance O-21859 N. S. [§129.0211 PDF](#) (c) of the Municipal code, authorizes the Building Official to extend the Building Permit applications for a time period not exceeding 180 days from the date the application was closed if a determination is made that circumstances beyond the control of the applicant prevented the issuance of a Building Permit. All circumstances that are reasonable will be considered.

### Final Extension of Time for Closed Building Permit Applications

For projects that were submitted on or after June 7, 2022, a Building Permit application can be extended for one additional period not exceeding 180 calendar days if the Building Official determines that:

1. The building standards effective at the time that the Building Permit application was submitted are sufficient to protect public health and safety; **or**
2. The Project complies with significant life and safety building standards effective at the time that the Building Permit application was submitted; and either
  - The additional application extension is in the public interest; or
  - Circumstances beyond the control of the applicant prevented the issuance of the Building Permit.

What constitutes standards "sufficient to protect public health and safety" or "significant life and safety building standards" will vary by code cycle. Prior to the adoption and publication of editions of the California Building Standards Code, it is difficult to determine what existing regulations would be determined insufficient when compared to the future standards or what future standards would provide.

Since this final application extension involves the Building Permit application and health and safety standards determination, it does not include a review of:

1. Requirements in Chapters 11A, 11B, or Chapter 12 of the California Building Code (CBC), Title 24, Part 2.
2. The California Energy Code, Title 24, Part 6.
3. The California Green Building Standards Code, Title 24, Part 11.

During the applicability period for the 2022 California Building Standards Code, the Building Official has determined that the three significant code requirements necessary to protect health and safety due to fire hazard and seismic hazards will be evaluated when determining whether the 2019 or prior edition adequately addresses these hazards or not. Furthermore, the final application extension will only condition approval on complying with these standards.

1. 2022 CBC, Title 24, Part 2-[Section 903.2.10](#) Fire sprinkler requirements for open and enclosed parking garages.
2. 2022 CBC, Title 24, Part 2-Section 1905.1.2 requirements in referenced Standard ACI 318-19 for concrete Special Structural Walls.
3. 2022 California Residential Code, title 24, Part 2.5-Section R328 Energy Storage Systems ESS as applicable.
4. 2022 California Fire Code, Title 24, Part 9 – Chapter 12 fire safety regulations for Energy Storage Systems ESS as applicable.

### Summary of Permit Application Timeframes

Application Deemed Complete	Initial Expiration	Extensions Allowed
September 4, 2024, and onward	2 years	Two, 180-day extensions when criteria are met
June 7, 2022 - Sept. 3, 2024	1 year + 180-day extension already provided	180-day extension Two additional 180-day extensions when criteria are met
Before June 7, 2022	1 year + 180-day extension already provided	180-day extension

### Extension Request Process

An application to request an extension of time may be submitted at any time, but no more than 180 days prior to the application close date. To apply for an extension, complete form [DS-4102](#).

### Fees

A nonrefundable processing fee will be assessed for all requests at the time of submittal. For processing fees, refer to [Information Bulletin 501](#), "Construction Permits—Structures." An invoice will be sent to the requester, and payment is due upon receipt of the invoice. Any additional and/or unpaid plan check fees will be invoiced and must be paid prior to the processing of an application extension. The extension request will be evaluated upon receipt of payment.

### Closed Building Permit Applications

If a Building Permit application has been closed and the Permit Applicant decides to proceed with the same project, a new application will be required, and the project will be subject to the new fees and regulations that are in effect when the new application is submitted.

#### Exceptions:

1. Closed building permit applications may qualify for application extensions to the extent permitted in the Municipal Code, as discussed below.
2. Replacement projects whose applications have been closed and where all review comments have been satisfied are eligible for streamlined processing. Hourly review fees will be charged for reviewing compliance with current building and land use standards.
3. Closed applications in the issued status that are only pending payment of the invoice may be issued on a case-by-case basis if issuance is requested within 6 months after the application close date.

Building Permit applications that are not closed can be divided into partial permits in accordance with Information Bulletin 189 to allow the first partial permits to establish the edition of the building standards applicable to subsequent partial permits associated with the same project. Subsequent partial permits, for example the partial frame or complete building submitted subsequent to a foundation only, are allowed to comply with the building standards applicable to the initial partial regardless of when the separate application is filed.