



# Phased Project Vesting Requirements for Major Projects

## *Building Division Interpretations and Policies*

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<b>Section:</b>	23.05.090.F.3.a

**Phased Projects:** If a vesting schedule is approved, the submittal of a complete below-grade garage building permit may vest the defined project to the construction codes in effect on the date of the below-grade building permit submittal. BCC 23.05.090.F.3.a describes a project phasing plan as follows:

**F.3.a.** *When approved by the building official, a phasing plan may be submitted for review, and if approved, the phasing plan shall thereby establish a schedule for vesting of the proposed project subject to submittal of the first complete building permit application identified in the phasing plan, excluding a shoring permit. The phasing plan is subject to the following limitations. After the first building permit application, each subsequent permit identified in the phasing plan shall be submitted with a complete building permit application within 12 months of the submittal of the prior permit, and the last permit application for the proposed project shall be submitted with a complete building permit application within 36 months of the first permit application which established vesting for the proposed project. The first permit application must be issued and must not expire per subsection H of this section to maintain project vesting, and the issued permit must not expire due to not starting work within one year or suspending work for more than 180 days per BCC 23.05.100(E). The vested status for the project is retained beyond the three-year maximum life of the first permit if all inspections required for the work under that permit have been completed and approved. The vested status will not apply to any permit application submitted more than 36 months after the first permit application which established vesting.*

**These are the phasing plan submittal requirements for the purpose of vesting a defined project:**

1. The phasing plan will either be approved or denied by the City. It must include:
  - A. A detailed description that defines the project scope, a site plan, and complete elevation views of the project for which vesting is requested, and a statement indicating “request to vest defined project to codes in effect on (anticipated date of below-grade permit application).”
  - B. Timelines for required permits for the entire defined project, including permit dependencies, and expiration limitations of building permit applications and issued building permits. This information shall be shown on an Estimated Timeline Schedule (ETS) and a construction schedule from the General Contractor.
  - C. Timelines for all required seismic peer reviews shall be incorporated into the phasing plan (see items 5 below for projects requiring seismic peer review).

