



REQUEST to Elect a Later Land Use Code Vesting Date for your Design Review Project

If your project is vested to the Early Design Guidance (EDG) submittal date according to [23.76.026.C.2.a](#), you have the option to elect a later vesting date to take advantage of recently adopted legislation. To establish a new vesting date, please complete this form and SDCI will determine your eligibility.

1. If the land use decision has not been published, and
 - Your project is vested to the EDG submittal date pursuant to 23.76.026.C.2.a you may elect a later vesting date to apply new legislation pursuant to 23.76.026.C.2.b. The vesting date you elect must be after your EDG submittal date and before the date SDCI either a) publishes the land use decision or b) accepted a complete building permit application. For example, *if you would like to take advantage of the code provisions allowed as part of the citywide Mandatory Housing Affordability upzones, you must elect a date on or after the effective date of April 19, 2019; or*
 - Your project is vested because you have filed a complete building permit application, pursuant to 23.76.026.A.3, you must withdraw that application in order to be eligible for a later vesting date. The new vesting date would be the date the SDCI Director's decision is published, pursuant to 23.76.026.A.1, or the date a new complete building permit application is accepted pursuant to 23.76.026.A.3;
 - Your project is not yet vested because you did not vest to the EDG application (23.76.026.C.1.a) and you are not eligible to elect a new date, your vesting date will be the date that the Director's decision is published or the date you submit a complete building permit application, whichever is first. If your decision is published or you submit a complete building permit application pursuant to 23.76.026.A.3 on or after the effective date of the citywide MHA upzones, this legislation would be applied to your project.
2. If a land use decision has been published, you are not eligible to elect a new vesting date according to 23.76.026.C.2.b. To establish a new vesting date, complete this form, and
 - The land use decision will need to be withdrawn and a revised land use decision published. The date of the revised land use decision or the date you submit a complete building permit application, whichever is first, would be the new vesting date according to 23.76.02.A.1 or A.3. A revised appealable land use decision is likely to be required in order to complete the environmental review (SEPA), and possibly to address new code departures; and/or
 - If your project is vested because you have filed a complete building permit application, pursuant to 23.76.026.A.3, you must withdraw that application in order to be eligible for a later vesting date. The new vesting date would be the date you submit a new complete building permit application pursuant to 23.76.026.A.3.

Other things to consider:

1. SDCI will review your project under the Land Use Code and all land use regulation ordinances in effect on the applicable vesting date for your project. You cannot select specific provisions that you want to apply to your project. To research land use ordinances and effective dates, please visit the [City Clerk's webpage](#).
2. SDCI will notify you via email of the status of your vesting change request.
3. SDCI may re-notice your project depending on the scope of changes.
4. SDCI may also request that other project materials on file are also updated to reflect the proposed changes prior to the re-notice, such as a traffic analysis etc.
5. Fees may be accrued due to re-notice and staff time.

Applicant to Complete:

If my project is eligible to elect a later vesting date, I am requesting a new vesting date of _____, 2019 per SMC 23.76.026.C.2.b.

Project Number: _____

Project Address: _____

Primary Applicant Name: _____

Signature (Primary Applicant): _____

Date Signed: _____

Please complete the applicable information to explain how your project may change with your elected vesting date.

- The **total number of units** in my project was _____ units and is now _____ units. (N/A)
- The **total gross floor area** of my project was _____ sq. ft and is now _____ sq. ft. (N/A)
- The **total number of parking spaces** associated with my project was _____ spaces and is now _____ spaces. (N/A)
- The **height** of my design was _____ feet and is now _____ feet. (N/A)

Please return this form to Onum Esonu via email at Onum.Esonu@seattle.gov with the subject line "Request to Elect a Later Vesting Date".

For next steps after your vesting eligibility has been determined, see page 3.

After SDCI has determined your eligibility for a new vesting date, you will be notified via email.

Once you receive this email, please follow these steps:

1. After you receive confirmation that the vesting date has been altered, contact your Land Use Review Planner to discuss project changes and what documents, in addition to the plans, will need to be updated.
2. If your project is actively being reviewed and you would like all these reviews to stop so that you may submit updated plans and materials, please let your Land Use Review Planner know so that we can facilitate opening the Accela portal by changing all reviews to a *Corrections Required* status.
3. Update your plans and relevant application materials to reflect the changes.
4. Once the Accela portal is opened, upload these documents to the project file.
5. Contact your Land Use Review Planner via email to let them know you have resubmitted your materials.