



Current Planning Division
410 E. 5th Street • Loveland, CO
80537 (970) 962-2523 • eplan-
planning@cityofloveland.org
www.cityofloveland.org/DC

VESTED PROPERTY RIGHTS APPLICATION

This application is used to request vested rights or an extension of vested rights for development. Refer to Chapter 18.72 of the Municipal Code for further information.

APPLICATION CHECKLIST

Applicants must submit the following information, and verify by checking the adjacent boxes, in order for the application to be accepted. All information must be submitted electronically following the specifications listed in [Electronic Submittal Guidelines](#). Each file must be named according to the naming convention associated with each item.

Items waived by city staff must indicate the name of the authorizing staff member next to the applicable checkbox.

- 1. Filing Fee:**
 - a. Complete a Development Review Fee Calculator form, showing the fee calculation for the project:
<http://www.cityofloveland.org/home/showdocument?id=23108>
 - b. Check made payable to the City of Loveland, submitted upon verification of the fee by the Planning office.
File Name: **Fee Schedule.PDF**
- 2. Application Checklist.** For items waived, the Applicant must include the name of the city representative authorizing the waiver.
File Name: **Checklist.PDF**
- 3. Application Form** provided in this checklist. File Name: **Application.PDF**
- 4. Vicinity Map** (8 1/2" x 11") identifying the project site within the neighborhood context, including the nearest major cross streets, scale and North arrow.
File Name: **Vicinity Map.PDF**
- 5. Legal Description** of property in a Microsoft Word format
- 6. Letter of Request** containing the following information:
File Name: **Request.PDF**
 - A. Terms of vesting requested
 - B. Justification Statement. For extensions of vested rights, the justification statement must include reasons why additional time is needed for development

of the property in compliance with City Code and State Statutes.

- 7. Site Specific Development Plan** (as defined in Section 18.72.020) for vested property rights associated with a site specific development plan. The site specific development plan must describe, with reasonable certainty, the type and intensity of the proposed development.
- 8. Site Specific Development Plan Summary** describing the vision for development, intensity, and basic components of the plan.
- 9. Names and Addresses** of all owners of property within the boundaries being requested for vested rights, as such names and addresses appear on the latest records of the Larimer County Clerk and Recorder. This list should be current within one month from the date of the required mailing.
File Name: [Property Owners.PDF](#)
- 10. Other Information** as identified by the City or to supplement the vested rights request.
- 11. Affidavits** are required prior to scheduling a City Council public hearing. The affidavit shall certify that written notice was given, by first class mail, for the public hearing and a sign(s) was(were) posted on the property (in a prominent location) at least 15 days prior to the public hearing.
File Name: [Affidavit.PDF](#)

CITY LINKS

Additional information regarding the city's development standards can be accessed through the following links:

Title 18 (Zoning Standards) of the Loveland Municipal Code:

<http://www.cityofloveland.org/modules/showdocument.aspx?documentid=72>

Site Development Performance Standards:

<http://www.cityofloveland.org/modules/showdocument.aspx?documentid=5006>

Larimer County Urban Area Street Standards (LCUASS):

<http://www.larimer.org/engineering/GMARdStds/UrbanSt.htm>

VESTED PROPERTY RIGHTS APPLICATION

All information must be completed and collated before submittal will be accepted
Please note that this is the application form only; this entire packet and referenced materials shall also be submitted

Project Name:	
PROJECT	
Project Description	
Narrative Description of Project	
Existing Legal Description of Property (Lot, Block, and Subdivision Name)	
Address of Existing Building(s):	
SITE	
Utility Services Provided by	
Water:	
Wastewater:	
Electric:	
FLOODPLAIN	
Is any portion located in a floodplain?	
Yes	No
* If Yes, please submit legal description	
DESIGNATION OF REPRESENTATIVE	
The undersigned owner(s) agree that (please print name) _____ represents the undersigned in all matters pertaining to this project, including subsequent modifications to the application.	
Property Owner	
Signature:	
Date:	
ACKNOWLEDGEMENTS	
The undersigned owner(s) agree that (please print name) _____ represents the undersigned in all matters pertaining to this project, including subsequent modifications to the application.	
Applicant or Representative	
Signature:	
Date:	
Printed Name:	

Correspondence from the city will be sent to the Applicant and Property Owner identified on this sheet. It is the Applicant's responsibility to provide the correspondence to other members of the development team.

1. Applicant - Point of Contact

Firm Name	Contact Person		Email Address
Address	City	State	ZIP Code
Size of Files your email can accept (MB)	Phone Number		Fax Number

2. Property Owner - Point of Contact

Firm Name	Contact Person		Email Address
Address	City	State	ZIP Code
Size of Files your email can accept (MB)	Phone Number		Fax Number

3. Surveyor

Firm Name	Contact Person	Email Address	Phone

4. Civil Engineer

Firm Name	Contact Person	Email Address	Phone

5. Architect

Firm Name	Contact Person	Email Address	Phone

6. Landscape Architect

Firm Name	Contact Person	Email Address	Phone

APPLICATION AND APPROVAL PROCESS

A. Application Submittal: Applications must be submitted electronically (Refer to [Electronic Submittal Guidelines](#)). Submittals are checked for completeness by the Development Review Team (DRT) on the next business day following application submittal. The Applicant will be notified by email if the submittal has been accepted or not. If accepted, the application will be assigned to a project planner and given a comment due date. If the application has been determined to be incomplete, the Applicant will be informed of any missing or incomplete items. All project files for submittals that have not been accepted will be deleted and a complete resubmittal of the project, including all electronic files, will need to be submitted for check-in.

B. External Agency Review: The city will provide external agencies (private utilities, CDOT, ditch companies) as applicable with the completed application form, a vicinity map, and the proposed subdivision plat. In the event the Applicant is contacted by an external agency representative, the Applicant must provide requested information and documents. Any comments received from external agencies will be included in the review comments. External agencies which submit review comments to the city will continue to review the application until complete. The Applicant is responsible for providing external agencies with applicable resubmittal materials until the review and approval process is complete.

C. Establishing vested property right by publication of notice.

The public hearing at which the final approval is considered shall be preceded by public notice of such hearing, including the intent to obtain a vested property right, as provided in Chapter 16.18. To establish a vested property right under this chapter for a site specific development plan, the city shall, within fourteen days following the final approval of the site specific development plan, publish in a newspaper of general circulation within the city a notice advising the general public of the site specific development plan approval and the creation of a vested property right pursuant to this chapter for that site specific development plan. If such notice is either not timely published, or contains any material errors, the city shall republish the notice at its expense and the three year vesting period shall be deemed to have commenced fourteen days after final approval of the site specific development plan. It is the applicant's responsibility to comply with the requirements of Chapter 16.18, including without limitation the requirements related to the form, content, timing and location of notice and affidavits.

D. Effect of approval and term of vested property right.

Final approval of a site specific development plan and subsequent timely publication of the notice required by Section 18.72.040 shall create a vested property right to undertake and complete development and use of the subject real property in accordance with the terms and conditions contained in the approved site specific development plan and subject to the requirements and limitations of this chapter.

The grant of a vested property right for an approved site specific development plan shall not prevent the city, in subsequent actions, from applying any of the following to the subject real property:

1. Any ordinances or regulations which are general in nature and are applicable to all property subject to land use regulation by the city, including building, fire, plumbing, electrical, engineering, and mechanical codes or other technical standards of the city as the same may be enacted or amended from time-to-time;
2. New ordinances, rules, regulations, and policies that are specifically anticipated and provided for in the terms or conditions of the approved site specific development plan;
3. New ordinances, rules, regulations, and policies that are necessary for the immediate preservation of the public health and safety; or
4. New ordinances, rules, regulations, and policies when the city finds that the site specific

development plan is based on substantially inaccurate information supplied by the applicant.

A vested property right shall remain vested for a period of three years from the date of publication of the notice required by Section 18.72.040, unless a longer term is agreed to by the city in a development agreement approved in accordance with Title 16 or Title 18 of the Code.

E. Plan language required.

1. Each site specific development plan shall contain the following language: "The City of Loveland's approval of this plan, or agreement, as applicable, creates a Vested Property Right under the City Code Chapter 18.72 subject to all the terms, conditions and limitations of this plan, or agreement and subject to the provisions of City Code Chapter 18.72. The effective date of this Vested Property Right is (insert date of publication of notice)."
2. Non site specific plans shall contain language indicating the terms of vesting approved by City Council.

F. Public Hearing Notice Requirements

A minimum of 15 days prior to the City Council public hearing, the Applicant must give written notice by first class mail, to the property owners on the list required in this checklist and post a sign(s) in a prominent location on the property included in the vesting request. The public hearing notice posted on the property and the letter must state the date, time, and location of the public hearing and the nature of the application being considered by the city. The information and format of the sign(s) will be provided in a template from the project planner. Failure to provide the required affidavit or evidence of a defective mailing list will result in a cancellation of the public hearing until proper notices are provided.