

REZONING

SUBMITTAL CHECKLIST FOR ALL ZONE DISTRICTS EXCEPT PUD

This application is to modify the zoning designation on property within the City of Loveland. The following information is required for the application to be accepted. Forms and informational requirements are located on the City's Development Center (DC) website under the specific application. All documents must be submitted electronically to eplan-planning@cityofloveland.org and each document must be a separate pdf file, unless otherwise specified.

The Planning Division will provide an application fee invoice when the project is accepted for review. The invoice will contain an itemized description of the application fee. A resubmittal of the project will not be accepted until the application fee is paid. The application fee allows up to three rounds of review. Any subsequent review round will require an additional fee equal to 50% of the original fee.

1. **Concept Review Meeting.** Meeting held on: _____
2. **Application Checklist.** Complete this checklist to verify submittal of the required information.
3. **Application.** Complete and sign the *Application* form on the City's DC website.
4. **Vicinity Map** identifying the project site within the neighborhood context, including the nearest major cross streets, scale and North arrow.
5. **Zoning Map** prepared in compliance with the *Zoning Map Requirements* on the City's DC website.
6. **Legal Description.** Provide the zoning district boundary legal description in Microsoft Word format for all proposed zoning districts within the subject property (legal lot of record or group of contiguous legal lots of record). No legal lot of record can contain multiple zones within its boundaries as a result of the rezoning.
7. **Title Commitment** verifying the record title owners and identifying encumbrances and exceptions to title. The title commitment must be dated within 30 days of the application submittal to the City. An ownership and encumbrance report does not qualify as a title commitment.
8. **Ownership Information.** Names of all owners of property being rezoned as such names and addresses appear on the latest records of the Larimer County Clerk and Recorder. The list must also include the names and addresses of any ditch companies that have improvements within the area to be rezoned.

9. **Zoning Petition** signed by all persons or entities having a record interest in the area to be zoned. The required format and content is set forth in the *Zoning Petition* available on the City's DC website.
10. **Special Provision Request.** Provide a letter indicating any special terms or conditions requested for the rezoning, if applicable.
11. **Reports and Inventory Map.** All reports must include suitable evidence of the professional qualifications of the person who prepared the report.
 - a. Mineral Extraction Report in compliance with the Colorado Revised Statutes Section 34-1-305, as amended. This item can be waived for properties requesting Developing Resource zoning.
 - b. Site Inventory Map prepared by a land planner, licensed landscape architect, licensed surveyor, or similar professional if the site contains one or more of the below environmentally sensitive areas. The map shall be prepared in accordance with the *Environmentally Sensitive Areas Report and Site Inventory Mapping Requirements* available on the City's DC website. The site inventory map will be reviewed by the City to determine if an Environmentally Sensitive Areas Report is required (See item 14.d, below).
 - i. Mature stands of vegetation;
 - ii. Irrigational canals, ditches and water courses;
 - iii. Wildlife Habitat Areas and Corridors; or
 - iv. Environmentally Sensitive Areas as listed in item 11c that are located within 100 feet of the property boundaries but not within the property boundaries.
 - c. Environmentally Sensitive Areas Report prepared by a qualified biologist if the site contains one or more of the below environmentally sensitive areas. The report shall be prepared in accordance with the *Environmentally Sensitive Areas Report and Site Inventory Mapping Requirements* available on the City's DC website.
 - i. Any of the environmentally sensitive areas as identified in the "City of Loveland Natural Areas Sites";
 - ii. Land within the ordinary high water mark of a river, stream, creek, lake, or reservoir;
 - iii. Jurisdictional or non-jurisdictional wetlands;
 - iv. Existing drainage patterns and areas within a FEMA floodway and flood fringe, and areas within designated floodplains of major drainages; as well as smaller tributary drainages without designated floodways or floodplains; and
 - v. Fault and aquifer recharge and discharge areas.
12. **Rezoning Assessment** with respect to the following:
 - a. **Resource Protection**
 - i. Protection of Natural Resources. The rezoning will not reduce the level of protection for significant natural resources existing on the subject property;

- ii. Unmitigated Natural Hazards. The rezoning will not expose additional people or property to unmitigated natural hazards present on the subject property (e.g. fire, flood, geological hazards).
- b. **Plan Consistency and Public Benefit** with respect to the following:
- i. Consistency with the Comprehensive Plan detailing how the project is consistent with the land use map, strategies, and philosophies in the comprehensive plan. If the proposed zoning is not consistent with the land use map, an amendment to the comprehensive plan may be required.
 - ii. Public Benefit. Rezoning to the proposed zone will provide a benefit to the community or immediate area that cannot be provided under the existing zone, and the balance between the anticipated benefit, if any, and the anticipated burden on the community or immediate area, if any, is either neutral or favors the rezoning.
 - iii. Compatibility with Industrial Zoned Property. The proposed zone would not cause an Industrial zone to share a boundary with an ER, R1e, R1, R2, R3e, or R3 zone, unless there is sufficient land area on the subject property to provide a buffer, as set out in UDC Division 18.08.03, Standards for Bufferyards, and a development agreement is approved to mitigate use incompatibilities with fencing, walls, landscaping, noise and lighting restrictions, or other appropriate techniques.
 - iv. Adequate Community Facilities are available to serve development in the proposed zone in accordance with UDC Section 18.15.205, Determination Regarding Adequacy; or the proposed zone would limit demands upon community facilities more than the existing zone; or reasonable assurances are provided that adequate community facilities will be made available to serve new development by the time the new development places demands on the facilities.
- c. **Additional Findings** with respect to one of the following three criteria:
- i. Plan Implementation. The proposed zone is more appropriate than the existing zone to implement an adopted or approved current City plan that was developed with public input (e.g. the Comprehensive Plan, the Highway 287 Strategic Plan, etc.).
 - ii. Change in Character of the Area. The proposed zone is more appropriate than the existing zone because:
 - 1) There has been a change in character or capacity of public infrastructure in the area (e.g. installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.); and
 - 2) The proposed zone allows for the reasonable development or redevelopment of the subject property in a manner that will be compatible with its existing or planned context.

- iii. Need for Zone in Land Inventory. The proposed zone is more appropriate than the existing zone because:
 - 1) There is a greater need in the City for land in the proposed zone than the existing zone based on a market study provided by the applicant; and
 - 2) The proposed zone will promote a balance of land uses in the City that will improve economic opportunity or community mobility in alignment with the Comprehensive Plan.
13. **Water and Wastewater Impact Demand Analysis**, if required by the Water/Wastewater Division.
14. **Conceptual Master Plan for Employment Zoning.** If the E-Employment Zone District is requested, the following information must be submitted:
 - a. Narrative statement, development plan, conceptual renderings, schematic designs, architectural guidelines, and other information as listed on the *Employment Zoning Requirements* available on the City's DC website.
 - b. Depiction of the allocation of land uses in a manner that demonstrates compliance with the balance of land uses required in the Employment Zone (UDC Section 18.06.1102).
15. **Conceptual Master Plan for Mixed-Use Activity Center Zoning.** If the MAC-Mixed-Use Activity Center Zone is requested, the following information must be submitted.
 - a. Narrative statement, development plan, conceptual renderings, schematic designs, architectural guidelines, and other information as listed on the *Mixed-Use Activity Center Zoning Requirements* available on the City's DC website.

Required Items Not Needed with Initial Application

16. **List of Surface Owners**, certified by the Applicant, of the names and addresses of all surface owners of record property that fall wholly or partially within the radius specified in *Public Notice Requirements* on the City's DC website. The names and addresses must be as listed on the latest records of the Larimer County Assessor. The list should be current within 1 month from the date of the required mailing.
17. **Community Participation Report** is required after the neighborhood meeting. The report must include the information as set forth in the Community Participation Report Requirements.
18. **Affidavits of Notice** for posting signs and sending letters prior to holding a neighborhood meeting or public hearing. *Affidavit Templates* are available on the City's DC website. All notices must be fulfilled at least 15 days prior to the meeting or hearing.