

**MOTION SHEET RE: ITEM NO. 59 [VESTED RIGHTS ORDINANCE] –
Expiration of Fair Notice Projects**

May 22, 2014

Motion is to 2nd reading draft posted in backup. Provide text of motion to City Clerk and make available for review on the dais.

Summary of motion: Move to amend Section 25-1-552 so that, if a project starts with a Fair Notice application, the clock starts to run on that date even if the developer submits a permit application within 1-year.

Text of amendment: Replace Subsection (D) of Section 25-1-552 with the following:

(D) If the vesting date approved for a project under Section 25-1-541 (*Vested Rights Determination*) is based on a fair notice application (new project) submitted under Section 25-1-536 (*Fair Notice Application*):

- (1) the project expires one year after the date the application was submitted; or
- (2) if a permit application is submitted before the fair notice application expires, the project expires on the date applicable to the permit under this section, except that the project expiration period shall be deemed to run from the date of the fair notice application.