



38

39 (B) To establish standards of subdivision design which will encourage the development of sound,  
40 economical and stable neighborhoods, to ensure a healthy living environment, and to protect the  
41 natural environment.

42

43 (C) To provide for lots of adequate size, configuration, and appropriate design for the intended  
44 uses.

45

46 (D) To encourage subdivision design flexibility and imagination.

47

48 (E) To provide for streets and walkways of appropriate capacity and construction with adequate  
49 measures to ensure safe movement of pedestrian and vehicular traffic.

50

51 (F) To ensure the provision of efficient, adequate and economical utilities, services and  
52 improvements.

53

54 (G) To provide for the coordination of subdivision development with requirements of schools,  
55 parks, recreation areas and other community facilities, and to ensure the provision of such  
56 facilities.

57

58 (H) To ensure the desirable development of the community through the adherence to accepted  
59 principles of land use, intensity of development, distribution of growth, preservation of natural  
60 amenities and other elements of the city's development plans. (1971 Code § 22.2)

61

62

63 **Section 2:** Section 4 (A) and (B) of Chapter 1 of Title 11 of the City Code is hereby  
64 amended as follows:

65 **11-1-4: VIOLATIONS, PROHIBITIONS AND PENALTIES:**

66 (A) NO OWNER OR AGENT OF THE OWNER OF ANY LAND SHALL TRANSFER,  
67 SELL, AGREE TO SELL OR OFFER TO SELL ANY LAND BEFORE A PLAT FOR  
68 SUCH LAND HAS BEEN APPROVED IN ACCORDANCE WITH THE PROVISIONS  
69 OF THIS TITLE AND RECORDED WITH THE COUNTY CLERK AND RECORDER.

70 (B) NO BUILDING PERMITS OR CONSTRUCTION PERMIT SHALL BE ISSUED FOR  
71 THE CONSTRUCTION OR ALTERATION OF ANY STRUCTURE ON ANY  
72 PROPERTY UNLESS A PLAT OF SUCH PROPERTY HAS BEEN PREPARED,  
73 APPROVED AND RECORDED IN ACCORDANCE WITH THE REQUIREMENTS OF  
74 THIS TITLE EXCEPT AS EXEMPTED IN SECTION 4-1-9 OF THIS CODE.

75 **Section 3:** Section 6 of Chapter 1 of Title 11 of the City Code is hereby amended with the  
76 addition of the following definitions:

77 ADJACENT: SEPARATED FROM THE SUBJECT LOT(S) OR PARCEL(S) BY ONE OF  
78 THE FOLLOWING: LOT LINE, PROPERTY BOUNDARY, RIGHT-OF-WAY, PRIVATE  
79 STREET, ALLEY OR EASEMENT.

80

81 BLOCK FACE: ONE SIDE OF A STREET BETWEEN TWO CONSECUTIVE FEATURES  
82 INTERSECTING THAT STREET. THE FEATURES CAN BE OTHER STREETS, ALLEYS,  
83 OR OTHER RIGHTS-OF-WAY.

84 LEGAL DESCRIPTION: A WRITTEN METES AND BOUNDS DESCRIPTION OF THE  
85 BOUNDARY OF A PARCEL OF REAL PROPERTY BY A PROFESSIONAL LAND  
86 SURVEYOR, FOR THE PURPOSE OF PERPETUATING LOCATION AND TITLE. THE  
87 DESCRIPTION MUST RECITE ALL TIES AND MONUMENTS, RECORDED OR  
88 PHYSICAL, WHICH WILL DETERMINE THE CORRECT POSITION OF THE  
89 BOUNDARY, ALL REFERENCES TO ADJOINING LANDS BY NAME AND RECORD,  
90 AND A FULL DIMENSIONAL RECITAL OF THE BOUNDARY COURSES IN  
91 SUCCESSION WHICH SHALL BE MATHEMATICALLY CORRECT. THE DESCRIPTION  
92 MUST BE ACCOMPANIED BY AN EXHIBIT OR MAP SHOWING ALL PERTINENT  
93 INFORMATION AS DESCRIBED IN THE NARRATIVE.

94 LOT: THE UNIT INTO WHICH LAND IS DIVIDED ON A SUBDIVISION PLAT WITH  
95 THE INTENTION OF SEPARATE OWNERSHIP OR USE.

96 PARCEL: A TRACT OR PLOT OF LAND OF ANY SIZE THAT MAY OR MAY NOT BE  
97 SUBDIVIDED.

98 REPLAT: A RESUBDIVISION OF A PORTION OF AN APPROVED AND RECORDED  
99 FINAL PLAT THAT WILL CHANGE LOT CONFIGURATION OR CREATE NEW LOTS  
100 AND TRACTS; AN AMENDED PLAT.

101 RESUBDIVISION: ANY MODIFICATION OF LAND PREVIOUSLY SUBDIVIDED OR  
102 PLATTED.

103

104 **Section 4: Chapter 9, Subdivision Exemption of Title 11 of the City Code is hereby**  
105 **repealed:**

106 ~~11-9-1: PURPOSE OF CHAPTER:~~

107 ~~11-9-2: ELIGIBILITY FOR SUBDIVISION EXEMPTIONS:~~

108 ~~11-9-3: PROCEDURES:~~

109 ~~11-9-1: PURPOSE OF CHAPTER:~~

110 ~~It is the purpose and intent of this chapter to allow the owner or purchaser of land, or agent~~  
111 ~~thereof, to divide such land into not more than two (2) parcels, which meet the~~

112 requirements of the governing zone district classification, without requiring  
113 submission of a subdivision plat. Approval of a subdivision exemption shall not  
114 exempt the applicant from securing and/or providing the necessary  
115 improvements including, but not limited to, sidewalks, curbs, gutters, street  
116 paving, storm drainage and utilities. Such land, or parcel which results from the  
117 approval of a subdivision exemption as hereinafter provided, shall not be  
118 eligible for any subsequent division under the provisions of this chapter. (Ord.  
119 36, Series of 1979)

120 ~~11-9-2: ELIGIBILITY FOR SUBDIVISION EXEMPTIONS:~~

121

122 The following procedures shall apply to all applications for subdivision exemptions: (Ord. 36,  
123 Series of 1979)

124 (A) ~~Eligibility For Subdivision Exemptions: The owner, purchaser, or agent thereof, must~~  
125 ~~verify all of the following requirements prior to the submittal of a subdivision~~  
126 ~~exemption application to the department of community development:~~

127 1. ~~A division of land must not exceed two (2) lots;~~

128 2. ~~Such division will not violate the minimum requirements of the governing zone district~~  
129 ~~classifications, the subdivision regulations and other applicable city ordinances~~  
130 ~~and resolutions;~~

131 3. ~~All lots must abut a dedicated and accepted city street;~~

132 4. ~~The applicant must show evidence that adequate sanitary sewer facilities exist to serve the~~  
133 ~~subject lots;~~

134 5. ~~The applicant must show evidence that adequate water facilities exist to serve the subject~~  
135 ~~lots. (Ord. 20, Series of 2012)~~

136 (B) ~~Compliance: Any proposed subdivision exemption which does not comply with all of the~~  
137 ~~requirements as defined hereinabove shall be considered as a minor or major~~  
138 ~~subdivision as applicable. (Ord. 36, Series of 1979)~~

139 ~~11-9-3: PROCEDURES:~~

140 (A) ~~Preparation: The subdivider shall cause the preparation of a subdivision exemption map by~~  
141 ~~a registered land surveyor. The map shall comply with the provisions of these~~  
142 ~~regulations, and other ordinances of the city and state law.~~

143 (B) ~~Submission: The applicant shall submit the application and the subdivision exemption map~~  
144 ~~pursuant to the requirements and process described in section 11-2-2 of this title.~~

145                   ~~The application deadlines, required number of copies and map details shall be in~~  
146                   ~~accordance with the operating standards as established by the department of~~  
147                   ~~community development.~~

148   ~~(C) Administrative Action: City staff shall review the proposed subdivision exemption map for~~  
149                   ~~compliance with the provisions of this title, other applicable regulations, the~~  
150                   ~~comprehensive plan, existing and proposed development, and comments from~~  
151                   ~~affected agencies. City staff may approve the application, approve the~~  
152                   ~~application subject to modifications, or recommend the application be processed~~  
153                   ~~under the major or minor subdivision procedure. (Ord. 20, Series of 2012)~~

154   **Section 5:     Chapter 9 of Title 11 of the City Code is hereby replaced as follows:**

155   CHAPTER 9: ADMINISTRATIVE PLATS AND REPLATS FOR ONE OR TWO LOTS

156   11-9-1: PURPOSE:

157   IN ADDITION TO 11-1-2, THE PURPOSE OF THIS CHAPTER IS TO ESTABLISH AN  
158   ADMINISTRATIVE REVIEW PROCESS FOR MINOR CHANGES TO SUBDIVISION  
159   PLATS AND UNPLATTED PARCELS THAT RESULT IN THE CREATION OF NO MORE  
160   THAN TWO (2) PLATTED LOTS.

161   11-9-2: APPLICABILITY:

162   (A)   THE FOLLOWING REQUESTS MAY BE APPROVED IN AN ADMINISTRATIVE  
163           PLAT, PROVIDED THE RESULTING PLAT DOES NOT CREATE MORE THAN  
164           TWO (2) PLATTED LOTS AND DOES NOT MERGE MORE THAN TWO (2)  
165           PARCELS (PLATTED OR UNPLATTED) INTO A SINGLE PLATTED LOT:

166   1.     A REQUEST TO PLAT UNPLATTED PROPERTY;

167   2.     A REQUEST TO MOVE, RECONFIGURE, OR REVISE AN EXISTING PLATTED  
168           LOT LINE;

169   3.     A REQUEST TO ADJUST A PLATTED SUBDIVISION BOUNDARY BETWEEN  
170           NOT MORE THAN TWO (2) EXISTING PLATTED LOTS WITHIN TWO (2)  
171           SEPARATE FILINGS OR SUBDIVISIONS;

172   4.     A REQUEST TO ADJUST A PLATTED SUBDIVISION BOUNDARY TO INCLUDE  
173           AN ADJACENT UNPLATTED PARCEL OF LAND;

174   5.     A REQUEST TO VACATE AN EXISTING PLATTED EASEMENT OR BUILDING  
175           ENVELOPE ON AN EXISTING PLATTED LOT, PROVIDED THAT THE

176 BUILDING ENVELOPE OR EASEMENT WAS DEDICATED AND DESIGNATED  
177 THROUGH A PLAT AND ONLY AFFECTS THE SUBJECT LOT;

178 6. A REQUEST TO MERGE PLATTED LOTS; OR

179 7. A REQUEST TO CORRECT MISSPELLINGS OR OTHER MINOR TECHNICAL  
180 CORRECTIONS ON RECORDED PLATS.

181 (B) RESTRICTIONS

182 1. REQUESTS REQUIRING THE DEDICATION OF PUBLIC RIGHT-OF-WAY MAY  
183 NOT BE PROCESSED AS ADMINISTRATIVE PLATS.

184 2. REQUESTS REQUIRING THE DEDICATION OF EASEMENTS MAY NOT BE  
185 PROCESSED AS ADMINISTRATIVE PLATS. EASEMENTS THAT HAVE BEEN  
186 DEDICATED BY SEPARATE INSTRUMENTS PRIOR TO RECORDATION OF THE  
187 ADMINISTRATIVE PLAT MAY BE NOTED ON AN ADMINISTRATIVE PLAT.

188 3. NO LOTS PREVIOUSLY CREATED THROUGH AN ADMINISTRATIVE  
189 PLATTING PROCESS MAY BE ADDITIONALLY DIVIDED OR MERGED  
190 THROUGH AN ADMINISTRATIVE PLAT OR REPLAT PROCESS. HOWEVER,  
191 LOT LINE ADJUSTMENTS BETWEEN TWO EXISTING LOTS MAY BE  
192 PROCESSED AS AN ADMINISTRATIVE PLAT OR REPLAT IN CONFORMANCE  
193 WITH 11-9-2 (A) 2.

194 4.

195 (C) ANY REQUEST THAT DOES NOT MEET THE REQUIREMENTS FOR  
196 PROCESSING AS AN ADMINISTRATIVE PLAT MAY BE PROCESSED AS AN  
197 APPLICATION FOR A MAJOR OR MINOR SUBDIVISION, AS APPLICABLE.

198 11-9-3: PROCEDURE:

199 (A) PRE-SUBMITTAL MEETING

200 PRIOR TO THE SUBMITTAL OF AN ADMINISTRATIVE PLAT APPLICATION, THE  
201 APPLICANT SHALL MEET WITH STAFF FOR A CONCEPT MEETING TO DISCUSS THE  
202 REQUEST, THE PROCEDURES, AND THE SUBMITTAL REQUIREMENTS.

203 (B) APPLICATION SUBMITTAL

204 THE APPLICANT SHALL SUBMIT THE ADMINISTRATIVE PLAT APPLICATION  
205 PURSUANT TO THE REQUIREMENTS AND PROCESS DESCRIBED IN SECTIONS 11-1,  
206 11-5, AND 11-6 OF THIS TITLE, AS APPLICABLE TO THE REQUESTED PLAT, AND

207 THE OPERATING STANDARDS AS ESTABLISHED BY THE DEPARTMENT OF  
208 COMMUNITY DEVELOPMENT.

209 11-9-4: CRITERIA FOR DECISION:

210 AN ADMINISTRATIVE PLAT SHALL BE APPROVED ONLY IF THE DIRECTOR  
211 DETERMINES THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

212 (A) EACH PARCEL CREATED BY THE ADMINISTRATIVE PLAT OR REPLAT  
213 COMPLIES WITH THE MINIMUM REQUIREMENTS OF THE GOVERNING ZONE  
214 DISTRICT, INCLUDING BUT NOT LIMITED TO, THE MAXIMUM DENSITY AND  
215 MINIMUM OPEN SPACE REQUIREMENTS, THE SUBDIVISION REGULATIONS  
216 AND OTHER APPLICABLE CITY ORDINANCES AND RESOLUTIONS.  
217 MULTIPLE ZONE DISTRICTS MAY NOT BE CONTAINED WITHIN ONE  
218 ADMINISTRATIVE PLAT OR REPLAT;

219 (B) EACH PARCEL CREATED BY THE ADMINISTRATIVE PLAT OR REPLAT IS  
220 CONSISTENT WITH EXISTING CHARACTER OF THE BLOCK FACE ON WHICH  
221 THE PROPERTY IS LOCATED. LOTS THAT ARE MORE THAN FIFTY PERCENT  
222 (50%) GREATER IN EITHER LOT SIZE, DEPTH, OR WIDTH OF A TYPICAL  
223 AVERAGE EXISTING LOT ON THE SAME BLOCK FACE ARE NOT ELIGIBLE  
224 FOR AN ADMINISTRATIVE PLAT OR REPLAT. LOTS THAT ARE LESS THAN  
225 TWENTY-FIVE (25%) SMALLER IN EITHER LOT SIZE, DEPTH, OR WIDTH OF A  
226 TYPICAL AVERAGE EXISTING LOT ON THE SAME BLOCK FACE ARE NOT  
227 ELIGIBLE FOR AN ADMINISTRATIVE PLAT OR REPLAT.

228 (C) EACH PARCEL CREATED BY THE ADMINISTRATIVE PLAT HAS ADEQUATE  
229 WATER AND SANITARY SEWER FACILITIES. (D) AT LEAST ONE (1) LOT  
230 MUST ABUT A DEDICATED AND ACCEPTED CITY STREET.

231 (E) IF THE REQUEST IS TO DIVIDE UNSUBDIVIDED LAND IN AN EXISTING  
232 PLANNED DEVELOPMENT, EACH LOT OR PARCEL RESULTING FROM THE  
233 ADMINISTRATIVE PLAT SHALL BE ONE (1) ACRE OR SMALLER IN SIZE.

234 11-9-5 APPEALS:

235 AN APPLICANT MAY APPEAL THE ACTION OF THE DIRECTOR OF COMMUNITY  
236 DEVELOPMENT ON THE ADMINISTRATIVE PLAT OR REPLAT TO THE CITY  
237 COUNCIL. SUCH APPEAL MUST BE MADE IN WRITING, SPECIFYING THE  
238 GROUNDS THE APPEAL IS BEING MADE, WITHIN THIRTY (30) DAYS OF THE  
239 ADMINISTRATIVE ACTION. THE COUNCIL SHALL RECEIVE THE APPEAL REQUEST  
240 AND SCHEDULE A PUBLIC HEARING TO REVIEW THE DECISION OF THE  
241 ADMINISTRATIVE ACTION, AT WHICH TIME THE APPLICANT SHALL HAVE THE  
242 OPPORTUNITY TO PRESENT INFORMATION OF ITS CHOOSING TO THE CITY

243 COUNCIL. THE COUNCIL MAY APPROVE THE PLAT AS SUBMITTED, AFFIRM THE  
244 DECISION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT, OR REQUIRE A  
245 MAJOR OR MINOR SUBDIVISION TO BE PROCESSED IN CONFORMANCE WITH THIS  
246 CODE.

247 **Section 6:** Severability. If any part, section, subsection, sentence, clause or phrase of this  
248 ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the  
249 remaining sections of this ordinance. The City Council hereby declares that it would have passed  
250 this ordinance, including each part, section, subsection, sentence, clause or phrase hereof,  
251 irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases  
252 may be declared invalid.

253

254 **Section 7:** Repealer. All ordinances or resolutions, or parts thereof, in conflict with this  
255 ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of  
256 such ordinance nor revive any ordinance thereby.

257

258 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council  
259 of the City of Littleton on the 2<sup>nd</sup> day of May, 2017, passed on first reading by a vote of 7 FOR  
260 and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the  
261 Municipal Courthouse and on the City of Littleton Website.

262 PUBLIC HEARING on the Ordinance to take place on the 16<sup>th</sup> day of May, 2017,  
263 in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the  
264 hour of 6:30 p.m., or as soon thereafter as it may be heard.

265 PASSED on second and final reading, following public hearing, by a vote of  
266 FOR and \_\_\_\_\_ AGAINST on the 16<sup>th</sup> day of May, 2017 and ordered published by posting at  
267 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

268 ATTEST:

269

270 \_\_\_\_\_  
Wendy Heffner

271 CITY CLERK

272

\_\_\_\_\_  
Bruce O. Beckman

MAYOR

273 APPROVED AS TO FORM:  
274  
275 \_\_\_\_\_  
276 Kenneth S. Fellman  
277 ACTING CITY ATTORNEY