

Section 1. Amend Chapter 10, Section 10-1-2 of the Littleton City Code pertaining to Zoning; Definitions to add a new definition for Preliminary PROJECT Plan and which shall read as follows:

PRELIMINARY PROJECT PLAN: A PRELIMINARY PROJECT PLAN REPRESENTS A GENERALIZED LAND USE/SITE PLAN FOR THE AREA PROPOSED TO BE INCLUDED WITHIN A PLANNED DEVELOPMENT PD DISTRICT. IT IS AN OPTIONAL STEP THAT ALLOWS EARLY, INFORMAL NON-BINDING EVALUATION OF A PROPOSED PD ZONING DISTRICT REQUEST BEFORE DETAILED PLANNING AND ENGINEERING WORK HAS BEEN UNDERTAKEN AND BEFORE SUBSTANTIAL EXPENSES HAVE BEEN INCURRED.

Section 2. Amend Chapter 10 of the Littleton City Code pertaining to Zoning by enacting a new Section 10-1-8 pertaining to Preliminary PROJECT Plan and which shall read as follows:

10-1-8 PRELIMINARY PROJECT PLANS; PLANNED DEVELOPMENT DISTRICTS.

A. APPLICANT SUBMITTAL. A PROSPECTIVE APPLICANT FOR A REZONING AMENDMENT SEEKING PLANNED DEVELOPMENT ZONING MAY ELECT TO SUBMIT A PRELIMINARY PROJECT PLAN IN ACCORDANCE WITH THIS SECTION.

B. PRELIMINARY PROJECT PLANS PRE-APPLICATION CONFERENCE. APPLICANTS SHALL ATTEND A PRE-SUBMITTAL CONFERENCE BEFORE SUBMITTING A PD PRELIMINARY PROJECT PLAN FOR REVIEW.

C. SUBMITTAL OF PD PRELIMINARY PROJECT PLAN. A PD PRELIMINARY PROJECT PLAN PACKAGE SHALL BE SUBMITTED TO THE COMMUNITY DEVELOPMENT DIRECTOR, TOGETHER WITH THE REQUIRED FEE. AT A MINIMUM, THE PD PRELIMINARY PROJECT PLAN SHALL INCLUDE THE FOLLOWING INFORMATION:

1. USES PROPOSED;
2. INTENSITY OR DENSITY OF USES PROPOSED;
3. LOCATION OF PUBLIC AND PRIVATE OPEN SPACE;
4. LOCATION OF EXISTING AND PROPOSED BUILDINGS ON THE SITE;
5. ROAD, STREET, AND PEDESTRIAN NETWORKS PROPOSED; AND
6. EXISTING OR PROPOSED UTILITIES AND PUBLIC SERVICES FOR THE DEVELOPMENT.

D. COMMUNITY DEVELOPMENT DIRECTOR/STAFF REVIEW AND REPORT. THE COMMUNITY DEVELOPMENT DIRECTOR AND STAFF SHALL REVIEW THE PD PRELIMINARY PROJECT PLAN. BASED ON THE RESULTS OF THOSE REVIEWS, THE

COMMUNITY DEVELOPMENT DIRECTOR SHALL PROVIDE A REPORT TO THE PLANNING COMMISSION.

E. PLANNING COMMISSION'S REVIEW.

1. THE PLANNING COMMISSION SHALL REVIEW THE PD PRELIMINARY PROJECT PLAN AND SHALL OFFER ITS COMMENTS REGARDING THE PLAN TO THE APPLICANT, UNLESS SUCH REVIEW IS WAIVED BY THE COMMUNITY DEVELOPMENT DIRECTOR DUE TO DIRECT SUBMISSION OF THE PLAN TO THE CITY COUNCIL. THE COMMUNITY DEVELOPMENT DIRECTOR SHALL PRESENT THE PRELIMINARY PROJECT PLAN, THE APPLICANT MAY BE PRESENT TO LISTEN TO COMMENTS. NO COMMENTS MADE BY THE PLANNING COMMISSION SHALL BE BINDING ON THE CITY'S CONSIDERATION OF ANY SUBSEQUENT APPLICATION, AND ARE INTENDED ONLY TO PROVIDE AN INFORMAL EVALUATION OF THE PROPOSED PROJECT.

2. AFTER THE PLANNING COMMISSION'S REVIEW, THE APPLICANT MAY SUBMIT THE ORIGINAL OR REVISED PD PRELIMINARY PROJECT PLAN TO THE CITY COUNCIL OR MAY WITHDRAW THE PD PRELIMINARY PROJECT PLAN FROM ANY FURTHER CONSIDERATION, BY SUBMITTING A LETTER TO THE COMMUNITY DEVELOPMENT DIRECTOR WITHDRAWING THE PRELIMINARY PROJECT PLAN.

3. THE PLANNING COMMISSION REVIEW MAY BE WAIVED IN ORDER TO PROVIDE FOR DIRECT CITY COUNCIL REVIEW AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR.

F. CITY COUNCIL REVIEW. AFTER RECEIPT OF THE PD PRELIMINARY PROJECT PLAN PACKAGE, INCLUDING ANY REVISIONS MADE BY THE APPLICANT, THE CITY COUNCIL SHALL REVIEW THE PD PRELIMINARY PROJECT PLAN IN A MEETING ATTENDED BY THE APPLICANT, TAKING INTO ACCOUNT THE PLANNING COMMISSION'S COMMENTS, IF ANY. THE COMMUNITY DEVELOPMENT DIRECTOR SHALL PRESENT THE PRELIMINARY PROJECT PLAN, THE APPLICANT MAY BE PRESENT TO LISTEN TO COMMENTS. NO COMMENTS MADE BY THE CITY COUNCIL SHALL BE BINDING ON THE CITY'S CONSIDERATION OF ANY SUBSEQUENT APPLICATION, AND ARE INTENDED ONLY TO PROVIDE AN INFORMAL EVALUATION OF THE PROPOSED PROJECT. THE CITY COUNCIL REVIEW IS DEEMED TO BE LEGISLATIVE-NON ADJUDICATORY ACTION.

G. EFFECT OF REVIEW. THE PD PRELIMINARY PROJECT PLAN IS NOT PART OF A FORMAL APPLICATION FOR APPROVAL OF A PD AND NO COMMENTS MADE BY THE CITY IN REACTION TO A PD PRELIMINARY PROJECT PLAN SHALL BE BINDING ON THE CITY'S CONSIDERATION OF ANY SUBSEQUENT PD APPLICATION NOR RESULT IN THE VESTING OF ANY RIGHTS UNDER THIS CODE OR STATE

STATUTE. THE VOLUNTARY SUBMISSION OF A PD PRELIMINARY PROJECT PLAN SHALL CONSTITUTE A COMPLETE WAIVER OF ANY AND ALL LEGAL CLAIMS THAT ARE BASED ON, OR ARISE FROM, PLANNING COMMISSION OR CITY COUNCIL REVIEW OF, OR COMMENT UPON, SUCH PD PRELIMINARY PROJECT PLAN. SINCE THE PD PRELIMINARY PROJECT PLAN IS CONCEPTUAL ONLY, THERE ARE NO LAPSE PROVISIONS APPLICABLE.

H. ALL REQUIREMENTS REMAIN IN EFFECT. THE PD PRELIMINARY PROJECT PLAN DOES NOT CONSTITUTE AN APPLICATION FOR A PD ZONING AMENDMENT. UNLESS A ZONING AMENDMENT IS FILED WITHIN SIXTY CALENDAR DAYS FOLLOWING COUNCIL REVIEW OF A PD PRELIMINARY PROJECT PLAN, THE PRELIMINARY PROJECT PLAN SHALL BE DEEMED EXPIRED AND CLOSED.