

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 22

Series, 2017

INTRODUCED BY COUNCILMEMBERS: CERNANEC & BRINKMAN

AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, AMENDING TITLE 11, CHAPTER 9, SECTION 4 (B) AND (C) OF THE CITY CODE FOR CLARIFICATION OF SIZE PERCENTAGE ELIGIBILITY CRITERIA, AND ADEQUATE WATER AND SEWER FACILITIES UNDER ADMINISTRATIVE PLAT AND REPLAT, AND THE DEFINITION OF SUBDIVISION IN TITLE 11, CHAPTER 1, SECTION 6,

WHEREAS, the planning commission, at its regular meeting on July 24, 2017, held a public hearing and voted to recommend approval of an ordinance amending Title 11, Chapter 9, Section 4 (B) and (C) of the city code, for clarification of size percentages eligibility criteria, and adequate water and sewer facilities under Administrative Plat and Replat; and

WHEREAS, staff finds that the definition of subdivision should be updated to exclude the reference to subdivision exemption;

WHEREAS, the city council finds that the proposed amendments to the city code are in the best interest of the city and will promote the public health, safety, and welfare of its inhabitants;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LITTLETON, COLORADO, THAT:**

Section 1: Section 4 of Chapter 9 of Title 11 of the City Code is hereby amended as follows:

11-9-4: CRITERIA FOR DECISION:

(B) Each parcel created by the administrative plat or replat is consistent with existing character of the block face on which the property is located. ~~Lots that are more than fifty percent (50%) greater in either lot size, depth, or width of a typical average existing lot on the same block face are not eligible for an administrative plat or replat. Lots that are less than twenty five (25%) smaller in either lot size, depth, or width of a typical average existing lot on the same block face are not eligible for an administrative plat or replat.~~ TO BE ELIGIBLE FOR AN ADMINISTRATIVE PLAT OR REPLAT, THE REVISED LOT MUST BE WITHIN 75%-150% OF THE AVERAGE LOT SIZE, AVERAGE DEPTH, AND AVERAGE WIDTH, OF THE EXISTING LOTS ON THE SAME BLOCK FACE.

(C) ~~Each parcel created by the administrative plat has adequate water and sanitary sewer facilities.~~ THE APPLICANT SHALL PROVIDE EVIDENCE THAT PUBLIC WATER AND PUBLIC SEWER FACILITIES ARE AVAILABLE TO SERVE EACH LOT. THIS SHALL BE IN THE FORM OF "WILL SERVE" LETTERS FROM THE APPROPRIATE SERVICE PROVIDERS.

Section 2: Section 6 of Chapter 1 of Title 11 of the City Code is hereby amended as follows:

11-1-6: DEFINITIONS:

SUBDIVISION: ~~Except as may be permitted under the subdivision exemption procedure provided in this title, the~~ The division of a parcel of land into two (2) or more lots and other tracts for the purpose of resale and/or development. This term includes resubdivision and when appropriate to the context, shall relate to the process of subdividing or to the land being subdivided.

Section 3: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses, or phrases may be declared invalid.

Section 4: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 15th day of August, 2017, passed on first reading by a vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 19th day of September, 2017, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of _____FOR
and _____ AGAINST on the 19th day of September, 2017 and ordered published by posting at
Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

Lena McClelland
ASSISTANT CITY ATTORNEY