

Section 10-6-1.2 Applicability

A. Generally. Except as otherwise set forth below, this Chapter applies to all divisions of land into one or more parcels for transfer of ownership or development within the city.

B. When a Subdivision Plat is Required.

1. *Subdividing Land.* The owner or proprietor of any land who desires to subdivide such shall submit a plat to the Director according to the subdivision type and application procedures set out in Article ~~[Repealed]~~ 10-9-7, *Subdivisions and Vacations*.
2. *Subdividing Land without a Plat.* No person shall subdivide land without recording a plat.
3. *Transfer of Ownership.* No person shall sell or transfer ownership of any land or portion of land by reference to a plat before the plat has been recorded in the office of the applicable County Clerk and Recorder.
4. *Building Permit.* No building permit shall be issued and no construction shall be commenced for any parcel of land created by subdivision that does not comply with this Code, subject to the exemptions below.
5. *Finalization of a Subdivision Plat.* A subdivision plat shall be approved by the Director or Commission before the subdivision may be recorded. No land may be subdivided through the use of a legal description other than with reference to a plat approved in accordance with this Code.
6. *Preexisting Subdivision Plat.* A subdivision plat approved by the Council before the effective date of this Code is considered an approved subdivision in compliance with this Code.

C. Recordation of Unapproved Plat Prohibited. The applicable County Clerk and Recorder shall not record any plat until such plat has been approved in accordance with the regulations of this Code.

D. Exemptions. The following shall be exempt from the requirements of this Chapter:

1. *Correction.* Provided a Corrective Plat is consistent with an approved Final Plat, there is no increase in the number of lots, or real property is not eliminated or dedicated to the city, a Corrective Plat is not required;
2. *Condo plats.* All condominium plats shall be submitted for recordation to the County, and prepared in compliance with C.R.S. Title 38-33.3-209, *Creation, Alteration and Termination of Common Interest Communities*.
3. *Estate Transfer.* Any division of land to heirs through an estate proceeding;
4. *Land Transfer.* Any transfer of land required by law;
5. *Fences.* Construction of fences;
6. *Conforming Repairs and Additions.* Repairs or additions which conform to this Code regarding setbacks, common open space, parking requirements, and lot coverage;
7. *Signs.* Construction or modification of signs;
8. *Manufactured Home Pad.* Leasing a pad site in a manufactured home park;
9. *Cemetery Plot.* Dividing land for a cemetery plot;
10. *Court Action or Foreclosure.* Dividing land through court action or foreclosure of a deed of trust;
11. *Accessory Structures.* Construction of accessory structures or buildings on property with a principal building; and
12. *Other.* Any other exemptions as defined by C.R.S. §30-28-101(10)(a) through (d), as amended.

(Ord. 18, Series of 2022)

Section 10-6-2.2 General Subdivision Standards DESIGN - D SUBDIVISION - SU

A. General Regulatory Provisions. All subdivisions shall comply with the following:

1. *Unified Land Use Code*. Every Subdivision shall comply with applicable zoning district, design, and development standards in this Code;
2. *City Code*. Applicable provisions of the City Code, including, but not limited to [Title 4, Building Regulations](#);
3. *Public Health, Environment, Railroads, and Utilities*. Applicable requirements and standards of the Tri-County Health Department, Colorado Department of Public Health and Environment, U.S. Army Corps of Engineers, Colorado Public Utilities Commission, and other applicable public agencies;
4. *State Statutes*. C.R.S, § 31-23-214, *Subdivision Regulations*;
5. *State Roadways*. Applicable requirements and standards of the Colorado Department of Transportation if a subdivision or parcel abuts a state-maintained roadway; and
6. *Standard Specifications*. The [Littleton Engineering Design Standards \(LEDS\)](#).

B. Metes and Bounds.

1. *Administrative Plat*. Conveyances by metes and bounds shall be prohibited except when a subdivision meets the qualifications and follows the procedures of [Section 10-9-7.1, Administrative Plat](#).
2. *Preliminary Plat*. Divisions by metes and bounds creating new parcels shall follow the same procedure as established for a Preliminary Plat. Application requirements may be waived at the discretion of the Director.

C. Logical System and Continuity. All improvements shall provide a logical and connected system of improvements for the development of adjacent properties.

D. Life Safety. The design and construction of subdivision improvements shall be conducted in a manner to protect human life and property.

E. Street Systems. Streets shall be designed and constructed in accordance with the Littleton Engineering Design Standards (LEDS).

F. Uninhabitable Land. Land deemed uninhabitable due to flooding or inadequate drainage shall not be subdivided for any use which may increase the danger to health, life, or property or aggravate flood or other hazards. Refer to [Chapter 7, Environmental Management](#).

G. Condominium.

1. ~~Subdivision.~~

- a. ~~Statutory Compliance.~~ Condominium applications shall be prepared in compliance with ~~C.R.S. Title 38-33.3-209, Creation, Alteration, and Termination of Common Interest Communities.~~
- b. ~~Processing.~~ Applications for condominium plats shall be processed as an Administrative Plat, as set out in ~~Article 10-9-7, Subdivisions and Vacations.~~
- c. ~~Association.~~ A party wall agreement or an association shall be established for the owners of the units within the condominium having common areas and facilities. The subdivider shall provide the services, bonds, and other matters required by law.

2. ~~Conversion or Change.~~

- a. ~~Pre-Application Meeting.~~ If an owner proposes to convert existing development to a condominium or make changes to an existing condominium subdivision, a pre-application meeting is required to present the proposed conversion or change. The Director shall determine the procedure to accomplish the conversion or change.
- b. ~~Compliance with Zoning, Building, Housing, Mechanical, and Fire Codes.~~ All units and common facilities shall comply with all codes adopted by the city, as amended.

Section 10-9-7.1 Administrative Plat

PROCEDURE - PR

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A. Generally. For any subdivision into four or fewer lots, or any of the enumerated actions in Subsection B, below, an Administrative Plat may be used in lieu of the processes of Preliminary and Final Plat review or other applicable processes.

B. Applicability. Any subdivision that complies with the following requirements, as applicable, ~~and does not dedicate public land or right-of-way~~ shall be processed according to the provisions of this Section. Any proposed subdivision that does not consist of one or more of the actions enumerated below shall be considered a major subdivision and shall be processed in compliance with the Preliminary Plat and Final Plat provisions of this Article, and all other vacations of public easements shall be processed in compliance with Section 10-9-7.6, *Vacation of Streets and Easements*. **An Administrative Plat may be utilized to accomplish any of the following:**

1. *Minor Subdivisions.* Subdivide an existing lot or parcel into four or fewer new lots;
2. ~~Condominium. Develop a condominium plat subdivision;~~ *Right of Way Dedication.* Right of way dedication that has been contemplated for acquisition under City adopted plans, at the time of application;
3. *Lot Line Adjustment.* Move, reconfigure, or revise an existing platted lot line;
4. *Boundary Adjustment.*
 - a. Adjust a platted subdivision boundary between not more than two existing platted lots within two separate filings or subdivisions;
 - b. Adjust a platted subdivision boundary to include an adjacent unplatted parcel of land;
5. *Easement/Building Envelope Vacation.* Vacate an existing platted building envelope on an existing platted lot or vacate an existed platted easement of the city's, provided that the building envelope or easement, as applicable, was dedicated and designated through a plat, only affects two lots or less, and, with respect to an easement of the city's, all benefitting utility providers' consent to the vacation; or
6. *Consolidation.* Consolidate platted lots.

C. Decision Criteria. The Director may approve, approve with conditions, or deny an Administrative Plat based on the following criteria:

1. *Lots.* The proposed plat contains from one to four lots;
2. *Conformance with Subdivision Regulations.* The proposed plat conforms with the provisions of Chapter 6, *Subdivision Standards*;
3. *Street Access.* All lots in the subdivision will have legal access to the public street system; and
4. *Number of Administrative Plats.* The lot or parcel has not been previously administratively platted more than two times as applicable; and
5. *Easement Vacation.* Any city easement being vacated is no longer necessary.

D. Procedure. The Director shall approve, approve with conditions, or deny the Administrative Plat.

E. Effect. Approval of an Administrative Plat shall require the applicant to file a copy of the approved Administrative Plat in the office of the County Clerk and Recorder within 30 days after the Director's approval.

(Ord. 18, Series of 2022)

Section 10-9-7.3 Preliminary Plat

A. Generally. A Preliminary Plat provides sufficient information to evaluate and review the general design of a proposed subdivision, such as dimensions and locations of proposed lots and utilities, to ensure compliance with a Site Plan or Master Development Plan, as applicable, and the requirements of this Code prior to submittal of a Final Plat.

B. Applicability.

1. *Purpose.* A Preliminary Plat is required for the subdivision of land into five or more lots.
2. *Preparation.* The subdivider shall cause the preparation of a Preliminary Plat of a proposed subdivision by a registered land surveyor. The plat shall comply with the provisions of this Code, of the City Code, and state law.

C. Decision Criteria. The Commission may approve, approve with conditions, or deny a Preliminary Plat based on the following criteria:

1. *Conformance.* The Preliminary Plat conforms to the Comprehensive Plan and all applicable requirements of this Code;
2. *Zoning.* Any new lots created and subsequent development of the site by the proposed subdivision shall meet the land area, open space, and yard requirements for the district in which the subdivision is located; and shall conform to the zoning requirements for the district in which it is located in; and
3. *Standards and Specifications.* The proposed Any new lots and subsequent development conforms to the design and improvement standards in the Littleton Engineering Design Standards (LEDS).

D. Procedures.

1. *Review and Recommendation.* The Director and the Director of Public Works shall review the Preliminary Plat and make a recommendation to the Commission.
2. *Public Hearing and Decision.* The Commission shall approve, approve with conditions, or deny the Preliminary Plat. Notice of such hearing shall be provided to mineral estate owners in accordance with C.R.S. Title 24, Article 65.5.

E. Effect.

1. *Next Steps.* Approval of a Preliminary Plat shall allow the applicant to proceed with the submission of Construction Plans and application for Final Plat approval.
2. *Grant of Approval.* Approval of the Preliminary Plat shall be deemed general approval of the subdivision's layout only and shall not constitute approval or acceptance of Construction Plans or a Final Plat.
3. *Validity.* The approval of a Preliminary Plat shall be as set out in Section 10-9-3.9, *Development Review Summary*.
4. *No Public Dedication.* Approval of the Preliminary Plat shall not constitute the acceptance of any public improvements or the creation and granting of any easements.

(Ord. 09, Series of 2023)

Section 10-9-3.5 Public Notice PROCEDURE - PR

- A. Generally.** Notice of public hearings required in this Code shall be provided in accordance with Table 10-9-3.9.1, *Development Review Summary*.
- B. Applicability.** Table 10-9-3.9.1, *Development Review Summary*, denotes the development review procedures that require public notice.
- C. Types of Notice.** All types of public notice shall comply with the requirements of this Section unless otherwise specified by controlling state law or the City Charter. There are three primary types of notice:
1. *Posted Notice.*
 - a. It is the applicant's responsibility to acquire the necessary sign from the city, and cause it to be posted on the site. Posted notice, when required, shall be posted via a sign on the public right-of-way next to the property at issue for the public hearing. Where the land does not have frontage on a public street, signs shall be posted on the nearest public street with an attached notation indicating the location of the land subject to the application. Such signs are required to be posted in at least two conspicuous locations that are within 300 feet of the exterior boundaries of the affected land in conspicuous places at distances of no less than 200 feet apart. Signs shall be located so that the lettering is visible from the street.
 - b. The applicant shall pay a deposit equal to the cost of the sign for each sign obtained. The deposit shall be refunded to the applicant if the sign is returned in good condition to the Community Development Department within 30 days after the final hearing date.
 2. *Publication Notice.* City staff is responsible for accomplishing the publication of notice. Publication notice, when required, shall be published in a newspaper of general circulation in the city.
 3. *Notice by Mail.* ~~City staff is responsible for creating and mailing the notice by mail.~~ Notice by mail, when required, shall be provided through the United States Postal Service (USPS) to all addresses, units, and property owners located within 700 feet of the subject property. If a common interest association has over 10 units, then notification shall be sent to the association's designee.
- D. Content of Notice.** Regardless of whether the notice is posted, published, or mailed, the notice shall contain:
1. The time and place of the public hearing;
 2. A brief description of the land which is the subject of the matter of the public hearing;
 3. The purpose of the public hearing;
 4. A statement that the public is invited to review and comment on the matter to be heard; and
 5. Contact information for the Community Development Department.
- E. Timeframe to Provide Notice.** The city, when required to provide notice, regardless of the type of notice that is required, shall provide such notice 10 days prior to the public hearing unless otherwise specified by controlling state law.
- F. Constructive Notice.** Failure of a property owner to receive notice of a hearing shall not affect the validity of the final decision. For example, a mailed notice returned to the sender shall not prevent a decision-making body from holding a public hearing nor shall it prevent the body from making a recommendation or final decision for a given application.

Section 10-9-3.6 Public Meetings and Hearings

PROCEDURE - PR

A. Generally.

1. *Meetings and Hearings.* All public meetings and hearings related to applications in the Code shall be open to the public. However, not all decisions require public hearings. Therefore, recommendations and decisions that are authorized by this Code are classified as requiring a "public meeting" or "public hearing."
2. *Open Meetings.* All public meeting and public hearing business shall be conducted in accordance with the [State of Colorado Open Meetings Act](#) and other laws applicable to local public bodies.

B. Procedures Requiring Public Meetings and Hearings.

Table [10-9-3.9.1, Development Review Summary](#), denotes the development review procedures that require public meetings and hearings.

C. Neighborhood Meetings.

1. *Applicability.* As shown in Table [10-9-3.9.1, Development Review Summary](#), the applicant shall conduct a neighborhood meeting before submittal of the application and prior to a second submittal of plans for review.
2. *Procedure.*
 - a. ~~The applicant shall provide w~~ Written notice shall be provided as set forth in Section [10-9-3.5, Public Notice](#). Any costs incurred by the City will be reimbursed by the applicant
 - b. At the neighborhood meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, answer questions, respond to concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.
 - c. The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, and discussed issues related to the development proposal. The meeting summary shall be included or retained with the application materials and be made available to the public for inspection.

D. Public Meetings.

Except for administrative decisions decided by staff, any application that does not require a public hearing prior to a recommendation or final decision requires a recommendation or final decision to be made during a public meeting.

E. Final Action.

A decision-making body with authority to take final action on an application according to Table [10-9-3.9.1, Development Review Summary](#), may approve, approve with conditions or modifications, or deny an application.

F. Approval with Conditions.

1. *Ability.* At a public meeting or hearing, a decision-making body may attach special conditions to any decision it is authorized to make in order to ensure that the intent of this Code will be carried out.
2. *Requirements.* Approval of an application with conditions requires that the specific conditions and reasons for such conditions be stated in the minutes of the meeting. Such conditions are binding upon the applicant.

G. Continuing Review Process.

Applications decided upon at a public meeting or hearing may be subject to Section [10-9-3.7, Appeals of Application Decisions](#), through Section [10-9-3.8, Expired Approvals and Extensions](#).

(Ord. 18, Series of 2022)