

1 **CITY OF LITTLETON, COLORADO**

2
3 **ORDINANCE NO. 14**

4
5 **Series, 2016**

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7 **INTRODUCED BY COUNCILMEMBERS: CERNANEC & BRINKMAN**

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9 **AN ORDINANCE OF THE CITY OF LITTLETON,**
10 **COLORADO, AMENDING CHAPTER 1 AND CHAPTER 12**
11 **OF TITLE 10 OF THE CITY CODE REGARDING MAILED**
12 **NOTICE FOR DEVELOPMENT APPLICATIONS THAT**
13 **REQUIRE PUBLIC HEARINGS BEFORE PLANNING**
14 **BOARD OR CITY COUNCIL**

15
16 **WHEREAS**, the planning board, at its regular meeting on July 25, 2016, held a
17 public hearing and recommended approval, with modification, of an ordinance amending title 10
18 of the city code regarding mailed notice for development applications that require public
19 hearings before planning board or city council; and

20
21 **WHEREAS**, the city council finds that the proposed amendments to the city code
22 are in the best interest of the city and will promote the public health, safety and welfare of its
23 inhabitants;

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

27
28 **Section 1:** Subsection C of Section 9 of Chapter 1 of Title 10 of the City Code
29 is hereby amended with the addition of a new Subsubsection 3 as follows (and the remainder of
30 the subsubsections renumbered):

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32 3. MAILED NOTICE: AT LEAST FIFTEEN (15) DAYS PRIOR TO THE REQUIRED
33 PUBLIC HEARING, THE APPLICANT SHALL MAIL WRITTEN NOTICE OF
34 THE HEARING BY FIRST-CLASS MAIL TO THE ADDRESS OF EACH
35 PROPERTY OWNER WITHIN 500 FEET OF THE SUBJECT PROPERTY. THE
36 COMMUNITY DEVELOPMENT DIRECTOR MAY EXPAND THE
37 NOTIFICATION AREA TO UP TO 1,000 FEET BASED ON THE COMPLEXITY
38 OF THE PROJECT, THE GEOGRAPHIC REACH OF POTENTIAL ADVERSE
39 IMPACTS, THE EXTENT OF NEIGHBORHOOD COMPATIBILITY ISSUES,
40 AND SIMILAR FACTORS. THE PROPERTY OWNER ADDRESS SHALL BE AS
41 SHOWN IN THE RECORDS OF THE APPLICABLE COUNTY ASSESSOR'S
42 OFFICE. WITHIN THE NOTIFICATION AREA, NOTICES SHALL BE SENT TO
43 THE BOARD OF DIRECTORS OF ANY HOMEOWNERS ASSOCIATION AS
44 WELL AS THE OWNERS OF ALL UNITS WITHIN THE REQUIRED
45 NOTIFICATION AREA.

46
47 THE NOTICE SHALL READ SUBSTANTIALLY THE SAME AS THE NOTICE
48 ALSO REQUIRED BY THIS SUBSECTION. AT LEAST TEN (10) DAYS PRIOR
49 TO THE PUBLIC HEARING, THE APPLICANT SHALL SUBMIT THE

FOLLOWING TO THE COMMUNITY DEVELOPMENT DEPARTMENT:

- (a) ALPHABETICAL LIST OF THE PROPERTY OWNERS WITHIN THE REQUIRED NOTIFICATION AREA;
- (b) MAP SHOWING THE PROPERTY OWNERS WITHIN THE REQUIRED NOTIFICATION AREA
- (c) COPY OF THE NOTICE SENT TO THE LANDOWNERS; AND
- (d) NOTARIZED CERTIFICATE OF MAILING

Section 2: Subsubsection 3 of Subsection B of Section 4 of Chapter 12 of Title 10 of the City Code is hereby amended with the addition of a new Subsubsubsection d as follows (and the remaining subsubsubsection relettered):

- (d) MAILED NOTICE: AT LEAST FIFTEEN (15) DAYS PRIOR TO THE REQUIRED PUBLIC HEARING, THE APPLICANT SHALL MAIL WRITTEN NOTICE OF THE HEARING BY FIRST-CLASS MAIL TO THE ADDRESS OF EACH PROPERTY OWNER WITHIN 500 FEET OF THE SUBJECT PROPERTY. THE COMMUNITY DEVELOPMENT DIRECTOR MAY EXPAND THE NOTIFICATION AREA TO UP TO 1,000 FEET BASED ON A CONSIDERATION OF THE COMPLEXITY OF THE PROJECT, THE GEOGRAPHIC REACH OF POTENTIAL ADVERSE IMPACTS, THE EXTENT OF NEIGHBORHOOD COMPATIBILITY ISSUES, AND SIMILAR FACTORS. THE PROPERTY OWNER ADDRESS SHALL BE AS SHOWN IN THE RECORDS OF THE APPLICABLE COUNTY ASSESSOR'S OFFICE. WITHIN THE NOTIFICATION AREA, NOTICES SHALL BE SENT TO THE BOARD OF DIRECTORS OF ANY HOMEOWNERS ASSOCIATION AS WELL AS THE OWNERS OF ALL UNITS WITHIN THE REQUIRED NOTIFICATION AREA.

THE NOTICE SHALL READ SUBSTANTIALLY THE SAME AS THE NOTICE ALSO REQUIRED BY THIS SUBSUBSECTION. AT LEAST TEN (10) DAYS PRIOR TO THE PUBLIC HEARING, THE APPLICANT SHALL SUBMIT THE FOLLOWING TO THE COMMUNITY DEVELOPMENT DEPARTMENT:

- 1. ALPHABETICAL LIST OF THE PROPERTY OWNERS WITHIN THE REQUIRED NOTIFICATION AREA;
- 2. MAP SHOWING THE PROPERTY OWNERS WITHIN THE REQUIRED NOTIFICATION AREA;
- 3. COPY OF THE NOTICE SENT TO THE LANDOWNERS; AND
- 4. NOTARIZED CERTIFICATE OF MAILING

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 16th day of August, 2016, 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 6th day of September, 2016, in the Council Chambers, 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 ____ day of _____, 2016 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:

Kristin Schledorn
CITY ATTORNEY