

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 13

4
5 Series, 2016

6
7 INTRODUCED BY COUNCILMEMBERS: CERNANEC & BRINKMAN

8
9 AN ORDINANCE OF THE CITY OF LITTLETON,
10 COLORADO, AMENDING TITLE 10 OF THE CITY CODE
11 CONCERNING RESIDENTIAL USES IN THE B-2 ZONE
12 DISTRICT AND REPEALING THE MORATORIUM
13

14 WHEREAS, the planning board, at its regular meeting on July 25, 2016, held a
15 public hearing and did not vote to recommend approval of an ordinance amending title 10 of the
16 city code concerning residential uses in the B-2 Zone District; and
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18 WHEREAS, the city council, however, finds that the proposed amendments to
19 the city code are in the best interest of the city and will promote the public health, safety and
20 welfare of its inhabitants;
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
23 THE CITY OF LITTLETON, COLORADO, THAT:
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26 Section 1: Section 2 of Chapter 1 of Title 10 is hereby amended with the
27 addition of the following definition:
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29 USE, RESIDENTIAL: DWELLING UNITS AND ALL OTHER ANCILLARY
30 ACTIVITIES AND STRUCTURES RELATED TO ITS RESIDENTS, INCLUDING BUT NOT
31 LIMITED TO RESIDENTIAL PARKING AND COMMON AREAS WITHIN STRUCTURES.
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33 Section 2: Land Use Category 3.66 of Section 2 of Chapter 3 of Title 10 is
34 hereby amended as follows:
35

36 ~~Dwelling units~~ RESIDENTIAL USES located in the same structure as a
37 nonresidential use and which meet the requirements of section 10-4-12 of this title
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39 Section 3: Section 12 of Chapter 4 of Title 10 of the City Code is hereby
40 amended as follows:
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42 10-4-12: RESIDENTIAL OCCUPANCY IN NONRESIDENTIAL DISTRICTS
43

44 Residential ~~dwelling units~~ USES are permitted to be located in the same structure as
45 nonresidential uses in the B-1 and B-2 districts provided the following conditions have been met:
46

47 (A) The residential use shall not occupy more than fifty percent (50%) of the gross floor
48 area of the structure.

49 (B) All building codes and housing code requirements for both the residential and

nonresidential uses must be met.

(C) No commercial activity, except for permitted home occupations, shall be conducted in the area of the structure designated for residential use.

(D) Minimum lot standards for the zone district shall apply. Additionally, on site parking shall be provided in sufficient number to meet the requirements for both the residential and nonresidential uses.

(E) Residential occupancy allowable under the conditions of this section shall be subject to the prior written confirmation by the city's zoning official that the requirements of this section have been met.

ADDITIONALLY, IN THE B-2 ZONE DISTRICT RESIDENTIAL USES MAY BE LOCATED IN THE SAME STRUCTURE AS NONRESIDENTIAL USES IF APPROVED AS A CONDITIONAL USE PURSUANT TO CHAPTER 8 OF THIS TITLE.

Section 4: The moratorium established pursuant to emergency Ordinance No. 09-2016 is hereby repealed.

Section 5: 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 6: 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

39 posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton
40 Website.

41 ATTEST:

42 _____
43 Wendy Heffner
44 CITY CLERK

Bruce O. Beckman
MAYOR

45
46 APPROVED AS TO FORM:

47
48 _____
49 Kristin Schledorn
50 CITY ATTORNEY

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