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~~(G) To provide for the coordination of subdivision development with requirements of schools, parks, recreation areas and other community facilities, and to ensure the provision of such facilities.~~

~~(H) To ensure the desirable development of the community through the adherence to accepted principles of land use, intensity of development, distribution of growth, preservation of natural amenities and other elements of the city's development plans. (1971 Code § 22.2)~~

IT IS THE PURPOSE AND INTENT OF THIS CHAPTER:

THE PURPOSE OF THIS TITLE 11 IS TO ARRANGE LAND INTO LEGAL LOTS OF RECORD FOR DEVELOPMENT OF LAND WITHIN THE CITY IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER. SUBDIVISION OF LAND IS A PROCEDURE IN WHICH LAND IS DIVIDED INTO LOTS, BLOCKS, AND TRACTS FOR TRANSFER OF OWNERSHIP OR DEVELOPMENT. AT THE SUBDIVISION STAGE OF DEVELOPMENT, THE SUBDIVIDER IS RESPONSIBLE FOR FINALIZING RIGHT-OF-WAY, EASEMENT, AND OTHER PUBLIC LAND DEDICATIONS, AS APPLICABLE, AS WELL AS LOT, BLOCK, AND TRACT CONFIGURATIONS FOR THE LAND INCLUDED IN THE APPLICATION. IN ADDITION, ALL PUBLIC IMPROVEMENTS ASSOCIATED WITH THE PROPOSED SUBDIVISION ARE IDENTIFIED AND QUANTIFIED AT THIS STAGE. THE SUBDIVIDER MAY BE REQUIRED TO ENTER INTO A SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WITH THE CITY TO GUARANTEE THAT THE APPROPRIATE IMPROVEMENT COSTS WILL BE BORNE BY THE SUBDIVIDER.

**Section 2:** Section 4 (A) and (B) of Chapter 1 of Title 11 of the City Code is hereby amended as follows:

**11-1-4: VIOLATIONS, PROHIBITIONS AND PENALTIES:**

~~A) No owner or agent of the owner of any land shall transfer, sell, agree to sell or offer to sell any land by reference to or by use of a plan or plat of a subdivision before such plan or plat has been approved in accordance with the provisions of this title and recorded with the county clerk and recorder.~~

(A) NO OWNER OR AGENT OF THE OWNER OF ANY LAND SHALL TRANSFER, SELL, AGREE TO SELL OR OFFER TO SELL ANY LAND BEFORE A PLAT FOR SUCH LAND HAS BEEN APPROVED IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE AND RECORDED WITH THE COUNTY CLERK AND RECORDER.

~~B) No building permits shall be issued for the construction or alteration of any structure on any property unless a plat of such property has been prepared, approved and recorded in accordance with the requirements of this title, except as exempted in section 4-1-9 of this code.~~

(B) NO BUILDING PERMITS OR CONSTRUCTION PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OR ALTERATION OF ANY STRUCTURE ON ANY PROPERTY UNLESS A PLAT OF SUCH PROPERTY HAS BEEN PREPARED, APPROVED AND RECORDED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS TITLE EXCEPT AS EXEMPTED IN SECTION 4-1-9 OF THIS CODE.

**Section 3:** Section 6 of Chapter 1 of Title 11 of the City Code is hereby amended with the addition of the following definitions:

ADJACENT: SEPARATED FROM THE SUBJECT LOT(S) OR PARCEL(S) BY ONE OF THE FOLLOWING: LOT LINE, PROPERTY BOUNDARY, RIGHT-OF-WAY, PRIVATE STREET, ALLEY OR EASEMENT.

BLOCK FACE: ONE SIDE OF A STREET BETWEEN TWO CONSECUTIVE FEATURES INTERSECTING THAT STREET. THE FEATURES CAN BE OTHER STREETS, ALLEYS, OR OTHER RIGHTS-OF-WAY.

LEGAL DESCRIPTION: A WRITTEN METES AND BOUNDS DESCRIPTION OF THE BOUNDARY OF A PARCEL OF REAL PROPERTY BY A PROFESSIONAL LAND SURVEYOR, FOR THE PURPOSE OF PERPETUATING LOCATION AND TITLE. THE DESCRIPTION MUST RECITE ALL TIES AND MONUMENTS, RECORDED OR PHYSICAL, WHICH WILL DETERMINE THE CORRECT POSITION OF THE BOUNDARY, ALL REFERENCES TO ADJOINING LANDS BY NAME AND RECORD, AND A FULL DIMENSIONAL RECITAL OF THE BOUNDARY COURSES IN SUCCESSION WHICH SHALL BE MATHEMATICALLY CORRECT. THE DESCRIPTION MUST BE ACCOMPANIED BY AN EXHIBIT OR MAP SHOWING ALL PERTINENT INFORMATION AS DESCRIBED IN THE NARRATIVE.

LOT: THE UNIT INTO WHICH LAND IS DIVIDED ON A SUBDIVISION PLAT WITH THE INTENTION OF SEPARATE OWNERSHIP OR USE.

PARCEL: A TRACT OR PLOT OF LAND OF ANY SIZE THAT MAY OR MAY NOT BE SUBDIVIDED.

REPLAT: A RESUBDIVISION OF A PORTION OF AN APPROVED AND RECORDED FINAL PLAT THAT WILL CHANGE LOT CONFIGURATION OR CREATE NEW LOTS AND TRACTS; AN AMENDED PLAT.

RESUBDIVISION: ANY MODIFICATION OF LAND PREVIOUSLY SUBDIVIDED OR PLATTED.

**Section 4:** Chapter 9, Subdivision Exemption of Title 11 of the City Code is hereby repealed:

~~4-1-9-1: PURPOSE OF CHAPTER:~~

~~11-9-2: ELIGIBILITY FOR SUBDIVISION EXEMPTIONS:~~

~~11-9-3: PROCEDURES:~~

~~11-9-1: PURPOSE OF CHAPTER:~~

~~It is the purpose and intent of this chapter to allow the owner or purchaser of land, or agent thereof, to divide such land into not more than two (2) parcels, which meet the requirements of the governing zone district classification, without requiring submission of a subdivision plat. Approval of a subdivision exemption shall not exempt the applicant from securing and/or providing the necessary improvements including, but not limited to, sidewalks, curbs, gutters, street paving, storm drainage and utilities. Such land, or parcel which results from the approval of a subdivision exemption as hereinafter provided, shall not be eligible for any subsequent division under the provisions of this chapter. (Ord. 36, Series of 1979)~~

~~11-9-2: ELIGIBILITY FOR SUBDIVISION EXEMPTIONS:~~

~~The following procedures shall apply to all applications for subdivision exemptions: (Ord. 36, Series of 1979)~~

~~(A) Eligibility For Subdivision Exemptions: The owner, purchaser, or agent thereof, must verify all of the following requirements prior to the submittal of a subdivision exemption application to the department of community development:~~

~~1. A division of land must not exceed two (2) lots;~~

~~2. Such division will not violate the minimum requirements of the governing zone district classifications, the subdivision regulations and other applicable city ordinances and resolutions;~~

~~3. All lots must abut a dedicated and accepted city street;~~

~~4. The applicant must show evidence that adequate sanitary sewer facilities exist to serve the subject lots;~~

~~5. The applicant must show evidence that adequate water facilities exist to serve the subject lots. (Ord. 20, Series of 2012)~~

~~(B) Compliance: Any proposed subdivision exemption which does not comply with all of the requirements as defined hereinabove shall be considered as a minor or major subdivision as applicable. (Ord. 36, Series of 1979)~~

~~11-9-3: PROCEDURES:~~

~~(A) Preparation: The subdivider shall cause the preparation of a subdivision exemption map by a registered land surveyor. The map shall comply with the provisions of these regulations, and other ordinances of the city and state law.~~

~~(B) Submission: The applicant shall submit the application and the subdivision exemption map pursuant to the requirements and process described in section 11-2-2 of this title. The application deadlines, required number of copies and map details shall be in accordance with the operating standards as established by the department of community development.~~

~~(C) Administrative Action: City staff shall review the proposed subdivision exemption map for compliance with the provisions of this title, other applicable regulations, the comprehensive plan, existing and proposed development, and comments from affected agencies. City staff may approve the application, approve the application subject to modifications, or recommend the application be processed under the major or minor subdivision procedure. (Ord. 20, Series of 2012)~~

**Section 5: Chapter 9 of Title 11 of the City Code is hereby replaced as follows:**

**ADMINISTRATIVE PLATS OR REPLATS FOR ONE (1) OR TWO (2) LOTS**

**11-9-1 PURPOSE:**

**CHAPTER 9: ADMINISTRATIVE PLATS AND REPLATS**

**11-9-1: PURPOSE:**

**TO ESTABLISH AN ADMINISTRATIVE REVIEW PROCESS FOR MINOR CHANGES TO SUBDIVISION PLATS AND UNPLATTED PARCELS THAT RESULT IN THE CREATION OF NO MORE THAN TWO (2) PLATTED LOTS.**

**11-9-2: APPLICABILITY:**

**(A) THE FOLLOWING REQUESTS MAY BE APPROVED IN AN ADMINISTRATIVE PLAT, PROVIDED THE RESULTING PLAT DOES NOT CREATE MORE THAN TWO (2) PLATTED LOTS AND DOES NOT MERGE MORE THAN TWO (2) PARCELS (PLATTED OR UNPLATTED) INTO A SINGLE PLATTED LOT:**

**1. A REQUEST TO PLAT UNPLATTED PROPERTY;**

**2. A REQUEST TO MOVE, RECONFIGURE, OR REVISE AN EXISTING PLATTED LOT LINE;**

3. A REQUEST TO ADJUST A PLATTED SUBDIVISION BOUNDARY BETWEEN NOT MORE THAN TWO (2) EXISTING PLATTED LOTS WITHIN TWO (2) SEPARATE FILINGS OR SUBDIVISIONS;

4. A REQUEST TO ADJUST A PLATTED SUBDIVISION BOUNDARY TO INCLUDE AN UNPLATTED PARCEL OF LAND WITHIN AN EXISTING ADJACENT SUBDIVISION;

5. A REQUEST TO VACATE AN EXISTING PLATTED EASEMENT OR BUILDING ENVELOPE ON AN EXISTING PLATTED LOT, PROVIDED THAT THE BUILDING ENVELOPE OR EASEMENT WAS DEDICATED AND DESIGNATED THROUGH A PLAT AND ONLY AFFECTS THE SUBJECT LOT;

6. A REQUEST TO MERGE PLATTED LOTS; OR

7. A REQUEST TO CORRECT MISSPELLINGS OR OTHER MINOR TECHNICAL CORRECTIONS ON RECORDED PLATS.

(B) RESTRICTIONS

1. REQUESTS REQUIRING THE DEDICATION OF PUBLIC RIGHT-OF-WAY MAY NOT BE PROCESSED AS ADMINISTRATIVE PLATS.

2. REQUESTS REQUIRING THE DEDICATION OF EASEMENTS MAY NOT BE PROCESSED AS ADMINISTRATIVE PLATS. EASEMENTS THAT HAVE BEEN DEDICATED BY SEPARATE INSTRUMENTS PRIOR TO RECORDATION OF THE ADMINISTRATIVE PLAT MAY BE NOTED ON AN ADMINISTRATIVE PLAT.

3. NO LOTS PREVIOUSLY CREATED THROUGH AN ADMINISTRATIVE PLAT OR REPLAT PROCESS MAY BE ADDITIONALLY DIVIDED OR MERGED THROUGH AN ADMINISTRATIVE PLAT OR REPLAT PROCESS. LOT LINE ADJUSTMENTS BETWEEN TWO EXISTING LOTS CREATED THROUGH AN ADMINISTRATIVE PLAT OR REPLAT MAY BE PROCESSED AS A LOT LINE ADJUSTMENT IN CONFORMANCE WITH THE ADMINISTRATIVE PLAT OR REPLAT PROCESS.

4. NO LOT THAT HAS BEEN CREATED THROUGH THE MERGER OF TWO LOTS USING AN ADMINISTRATIVE PLAT PROCESS MAY BE MERGED WITH ANY ADDITIONAL LOTS OR PARCELS OR TRACTS OF LAND THROUGH AN ADMINISTRATIVE PLAT PROCESS.

5. NO LOT OR PARCEL THAT HAS BEEN CREATED THROUGH A SUBDIVISION EXEMPTION MAY BE FURTHER DIVIDED THROUGH AN ADMINISTRATIVE PLAT PROCESS.

6. NO LOT OR PARCEL THAT HAS BEEN MERGED THROUGH A SUBDIVISION EXEMPTION PROCESS MAY BE FURTHER MERGED THROUGH AN ADMINISTRATIVE PROCESS.

(C) ANY REQUEST THAT DOES NOT MEET THE REQUIREMENTS FOR PROCESSING AS AN ADMINISTRATIVE PLAT MAY BE PROCESSED AS AN APPLICATION FOR A MAJOR OR MINOR SUBDIVISION, AS APPLICABLE.

11-9-3: PROCEDURE:

(A) PRE-SUBMITTAL MEETING

PRIOR TO THE SUBMITTAL OF AN ADMINISTRATIVE PLAT APPLICATION, THE APPLICANT SHALL MEET WITH STAFF FOR A CONCEPT MEETING TO DISCUSS THE REQUEST, THE PROCEDURES, AND THE SUBMITTAL REQUIREMENTS.

(B) APPLICATION SUBMITTAL

THE APPLICANT SHALL SUBMIT THE ADMINISTRATIVE PLAT APPLICATION PURSUANT TO THE REQUIREMENTS AND PROCESS DESCRIBED IN SECTIONS 11-1, 11-5, AND 11-6 OF THIS TITLE, AS APPLICABLE TO THE REQUESTED PLAT, AND THE OPERATING STANDARDS AS ESTABLISHED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

11-9-4: CRITERIA FOR DECISION:

AN ADMINISTRATIVE PLAT SHALL BE APPROVED ONLY IF THE DIRECTOR DETERMINES THAT THE FOLLOWING CRITERIA HAVE BEEN MET:

(A) EACH PARCEL CREATED BY THE ADMINISTRATIVE PLAT OR REPLAT COMPLIES WITH THE MINIMUM REQUIREMENTS OF THE GOVERNING ZONE DISTRICT, INCLUDING BUT NOT LIMITED TO, THE MAXIMUM DENSITY AND MINIMUM OPEN SPACE REQUIREMENTS, THE SUBDIVISION REGULATIONS AND OTHER APPLICABLE CITY ORDINANCES AND RESOLUTIONS. MULTIPLE ZONE DISTRICTS MAY NOT BE CONTAINED WITHIN ONE ADMINISTRATIVE PLAT OR REPLAT;

(B) EACH PARCEL CREATED BY THE ADMINISTRATIVE PLAT OR REPLAT IS GENERALLY 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.

(C) EACH PARCEL CREATED BY THE ADMINISTRATIVE PLAT HAS ADEQUATE  
WATER AND SANITARY SEWER FACILITIES AND ADEQUATE ACCESS TO A  
PUBLIC STREET.

(D) IF THE REQUEST IS TO DIVIDE UNSUBDIVIDED LAND IN AN EXISTING  
PLANNED DEVELOPMENT, EACH LOT OR PARCEL RESULTING FROM THE  
ADMINISTRATIVE PLAT SHALL BE ONE (1) ACRE OR SMALLER IN SIZE.

11-9-5 APPEALS:

AN APPLICANT MAY APPEAL THE ACTION OF THE DIRECTOR OF COMMUNITY  
DEVELOPMENT ON THE ADMINISTRATIVE PLAT OR REPLAT TO THE CITY  
COUNCIL. SUCH APPEAL MUST BE MADE IN WRITING, SPECIFYING THE  
GROUNDS THE APPEAL IS BEING MADE, WITHIN THIRTY (30) DAYS OF THE  
ADMINISTRATIVE ACTION. THE COUNCIL SHALL RECEIVE THE APPEAL REQUEST  
AND SCHEDULE A PUBLIC HEARING TO REVIEW THE DECISION OF THE  
ADMINISTRATIVE ACTION, AT WHICH TIME THE APPLICANT SHALL HAVE THE  
OPPORTUNITY TO PRESENT INFORMATION OF ITS CHOOSING TO THE CITY  
COUNCIL. THE COUNCIL MAY APPROVE THE PLAT AS SUBMITTED, AFFIRM THE  
DECISION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT, OR REQUIRE A  
MAJOR OR MINOR SUBDIVISION TO BE PROCESSED IN CONFORMANCE WITH THIS  
CODE.

**Section 6:** 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 7:** 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 \_\_\_\_ day of \_\_\_\_\_, 2017, passed on first reading by a vote of



280 \_\_\_\_ FOR and \_\_\_\_ AGAINST; and ordered published by posting at Littleton Center, Bemis  
281 Library, the Municipal Courthouse and on the City of Littleton Website.

282 PUBLIC HEARING on the Ordinance to take place on  
283 the\_\_\_\_\_, 2017, in the Council Chambers, Littleton Center, 2255 West Berry  
284 Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

285 PASSED on second and final reading, following public hearing, by a vote of  
286 FOR and \_\_\_\_\_ AGAINST on the \_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published  
287 by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of  
288 Littleton Website.

289 ATTEST:

290 \_\_\_\_\_

291 Wendy Heffner

292 CITY CLERK

293

294 APPROVED AS TO FORM:

295

296 \_\_\_\_\_

297 Kenneth S. Fellman

298 ACTING CITY ATTORNEY

\_\_\_\_\_

Bruce O. Beckman

MAYOR