

ULUC Redline Draft Comments



	Commenter and Date	ULUC Redline Comment
1	Pam at PC Meeting 8/23	feels poorly served by having the ULUC be approved by this CC. Decisions made for the public should be made on independent fact and data. Opinion is not a basis for public policy. What more data is needed. ULUC has not served the public
2	8.23 Email from Rick Cronenberger	It looks good. I like some of the consolidations that you did. We have a nice a strong enforceable preservation code. Legacy Program: I suggested objects and landscape features to be added to the list. Right now, the criteria just address buildings. We do have a few objects that could be added, the Stern Memorial is one of them. Landscapes is a bit harder, but not listing them will not allow them to be addressed. Stern park could be listed as a Landscape.
3	8.23 Email from Rick Cronenberger	Section 10-8-3.2 Criteria HISTORIC DISTRICTS. Why were the historic district criteria removed? These add a few more general requirements as defined in the Colorado Model Code.
4	8.23 Email from Rick Cronenberger	Section 10-8-4.2 section @ I think using the term reasonable is much stronger and more definitive than using the word Fair. Fair appears to offer more ambiguity in defining something. As adjectives the difference between reasonable and fair is that reasonable is just; fair; agreeable to reason while fair is beautiful, of a pleasing appearance, with a pure and fresh quality. As a noun fair is something which is fair (in various senses of the adjective) or fair can be a community gathering to celebrate and exhibit local achievements. As a verb fair is to smoothen or even a surface (especially a connection or junction on a surface). As a adverb fair is clearly; openly; frankly; civilly; honestly; favorably; auspiciously; agreeably.
5	8.23 Email from Rick Cronenberger	Definitions: The definition of Certified Local Government did not get added. Cultural Landscape definition is missing. Was in our current code. Should have one if the HPB is looking at cultural landscapes. Exterior features definition which is in our current code. I would rather have a definitive definition for Preservation Maintenance, since it is a definitive preservation terminology, and sighted in the code. The definition for Section 106 did not make it in the code. This is a very significant definition, since any work done along Santa Fe drive will result in a section 106 determination at some time. Citizens should know about this.
6	8/23 Email from Mark Rudnicki	On page 48, item 6.c.3, the ULUC talks about windows within 6" of the side setback. Is 6" correct or does it want to say 6'? If it's a meager 6" why not just make it the side setback line of 5' or 10'?
7	8/23 Email from Mark Rudnicki	On page 48, item 6.c.4.: should read 'No rooftop decks or decks that ARE greater.....
8	8/23 Email from Mark Rudnicki	General: FYI, most garages would not meet building codes for required foundations for habitable structure conversions, but I guess that is a building code issue.
9	8/23 Email from Mark Rudnicki	As I remembered Council's straw vote on detached ADUs, we voted that detached ADU's only be allowed in SLR districts with alley access. The table on Page 50 allows them in Medium Lot Residential districts. What gives? Am I wrong on the straw vote? I will check with other council members.
10	8/23 Email from Mark Rudnicki	I see that the height of detached ADUs is to the PEAK of the roof. Is the roof height in the rest of the code measured to the MIDPOINT of the roof slope?.
11	8/23, 8/25 Emails from Scott Haselwood	6733 S. Windermere is currently zoned R-S (Residential-Suburban Agricultural). Under the proposed Unified Land Use Code, the proposed zoning would be LLR (Large Lot Residential). Although these zoning districts (existing and proposed) are both primarily designed for single-family detached homes, there may be some differences in lot and building requirements.
12	8/25 email from Littleton Cemetery Assn	I am an attorney volunteer with the Littleton Cemetery Association. We have had some zoning concerns and I was hoping I could resolve them with you. I understand that zoning changes are being made by September 10. We would like to request that all properties managed by the Littleton cemetery association be changed to a neighborhood commercial "NC" designation (or a CM designation).
13	8/27 email from Jason Reynolds and attachment	Revise many section of lighting code. See attached CPTED lighting guidelines from 2 other jurisdictions he provided.
14	8/31 voicemail from Bruce Rumsey	Can I rebuild my house in the DT zone district
15	8/31 text from Kal Murib (via Pam Grove)	"What new laws will be changed from the opt in scenario as we have it now to the all-in district?"
16	8/17 email from Randall Sampson	Hey, before looking around for other jurisdictions' code examples, I did take another peek at Littleton's draft and spotted the (previously commented upon) provisions in 10-9-2.4, particularly the last sentence in subsection B ("All development applications filed on or after the effective date of this Code shall be processed in accordance with the requirements of this Code") and 10-9-2.6 ("Transitional Provisions"). While succinct, these are the types of provisions that I had in mind. Notwithstanding my previous comments on these provisions, I might suggest that consideration be given to revising subsection D of 10-9-2.6. The law does not generally require that technical standards and other requirements of a municipality's regulations be held static or frozen as of the date of complete application. In the context of a multi-year project, the effect is to greatly diminish a jurisdiction's flexibility to respond to evolving needs. While that may create uncertainty for the development community (e.g., engineering standards or other technical requirements that are amended to be stricter may well increase a developer's cost if those changes take effect in the middle of a multi-phase development), applying for and being granted vested rights is one way to address that issue.

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17	8/31 email from Steve More, Commercial Building Services	I noticed a mark-up in the proposed Land Use Matrix that does not seem to align with a large number of existing businesses along the Broadway corridor. In the CM use it appears that Vehicle Sales and Service/Vehicle Sales, Rental, and Leasing is no longer a permitted use. This would affect all car dealerships along Broadway and will make them non-conforming uses should they want to add to or modify their facilities down the road. I brought this to Mike's attention and I would like to see if this is correct or can it be modified prior to finalizing the ULUC.
18	8/25 email from Lynn Christensen to councilmembers (see email, but attachment from Lynn was not included in forward.)	I had made a comment on the original ULUC Draft but it was not incorporated into the document. Chapter 21 of the Littleton City Code Business Regulations 3-21-30: Prohibited Facilities says: "Retail marijuana cultivation facilities, retail marijuana testing facilities and retail marijuana product manufacturing facilities are prohibited uses in any zone district in the city." However, this is not what the Land Use Code indicated. The "conditional" approval designation should be PROHIBITED (see attached). I assure you that Littleton does not want to allow these facilities because the smell emitted is nauseating.
19	8/30 Email from Tyler Carlson-Evergreen (see attachments)	On the attached you'll see a national average minimum parking standard of 8/1000 with no mention of any maximums and an example 2,500sf, 90-seat restaurant layout based upon national restaurant industry standards of 15-18 square feet of dining space per seat and 16.66 square feet of support (kitchen) space per seat. -- To illustrate what 8/1000 means they've detailed a 20 stall parking lot next to a 90 seat restaurant. However, all new restaurants today need more than these minimums because when you count the cars required to provide each table and employee with a parking space, you end up needing 30-40 stalls as I annotated to the right of the graphic. Creating a maximum parking limitation of 5/1000 means this example restaurant would only be able to provide 13 parking stalls. This is barely enough for the staff let alone the customers! Yes, a couple of staffers could carpool / light rail to work and the same for the patrons, but it is impossible to run a restaurant when you can't legally provide even close to the parking required in a suburban context where 99% of customers/employees will drive. I hope this example shows why we're so adamant they either be no parking maximums at all or at the very least the 12/1000 we agreed to in our PD because otherwise you're either never going to lease a single restaurant space or you are going to doom those that do lease to going out of business because they can't provide parking for their customers.
20	NexGen	It is recommended that the section "Title and Authority" is moved to the beginning of the document. This is a practice that can be seen in other regional land use codes such as Arvada and Boulder and simply makes more sense. Within this section, it is recommended that there is included an acknowledgement of the Indigenous history of the region.
21	NexGen	It is recommended that a section on disclosures of the harmful effects of the planning and zoning process is included in the "Title and Authority" section and that this code addresses that harmful history and accounts for remedies. We should acknowledge the interdependent and interconnected nature of our community and how it fits in the larger ecosystem of the Denver Metro area.
22	nexGen	It is recommended that these issues be addressed early and often in the new code to generate thoughtful intentional practices that are based on a solid foundation of ethical and moral responsibility. This element of legitimacy will set up this document for sustainable success as we move forward in the future.
23	NexGen	It is recommended that this document explicitly states that environmental sustainability is a focus at the outset of the document as well as throughout each section. We appreciate that there are sections of the ULUC that incorporate best practices in sustainability; however, it feels like sustainability is a nice-to-have, but it is not fully incorporated into the plan and often uses terms that are not enforceable.
24	NexGen	It is recommended that incentives are provided not only to organizations, and developers, etc., but for to all community members. There needs to be incentives in place for residents that, for instance, take care of their large trees or plant additional trees (as developers can receive get incentives for not tearing them down/removing trees), installing solar panels, having maintaining edible gardens, making updates for low water landscaping, making sustainable building and home renovations, etc.
25	NexGen	It is recommended that The code should set up its authority, then exercise its full authority and control to implement, not merely incentivize sustainability practices. The city council should govern sustainably, and this should be addressed at the outset with research regarding climate change and global warming.
26	NexGen	It is great to see this in the ULUC as green and cool roofs are evidence-based ways to reduce energy use and water conservation. However, the approved roof materials (Table 10-1-3.3.B-1.3) are asphalt shingle, concrete or clay tile, and standing seam metal, none of which seem easily are adaptable to a green or cool roof. This is one example of how the draft it is unclear how you could meet in enforcing the green roofing requirements and add a cool and green roof and where we would like to see sustainability more clearly integrated into the ULUC instead of more listed as an "add on".
27	NexGen	For example, Table 10-1-3.4.2 provides an incentive for "Use of a white roof or roofing materials with minimum reflectivity rating of 60 percent or more" and "Configuration of the principal structure's roof so that at least 50 percent of the roof is a 'green' room intended to capture or hold rain water.
28	NexGen	It is recommended that that the requirements throughout the document are compatible with sustainability practices.
29	NexGen	It is recommended that the City of Littleton encourages renovation and refurbishment of all properties across the City as the preferred use of existing buildings. By advocating for the renovation of existing buildings, using sustainable techniques such as the inclusion of solar panels, low flow water fixtures, LED lights, etc., the city will be able to make an important contribution to reducing human carbon emissions and this should be promoted throughout the entirety of the updated land use code.

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30	NexGen	We would like to see The City of Littleton should adopt minimum energy efficiency standards for all new construction and redevelopments across the city. Additionally, to increase affordable housing within the city, it is important to keep in mind that affordable housing options must be energy efficient because as low-income individuals cannot afford the market driven fluctuations of energy bills.
31	9/2 call with Eric vieth	In CMU the 43.50 units/acre is way too low. Can't do more than 3 stories with this. What happened to comp plan promise of increased height and density in the CM district. Doesn't pencil. Lot coverage at 25% in commercial is way way too low. How the plan is currently written, you could only have garden style apartments. You will not get urban sytle walkable communities.
32	9/2 John Hesse/Greg Saia/Sean Murphy and Toll Apartment Living (always CC these three)	KTGY is assisting us with conceptual site planning using the new ULUC zoning and applying it to Santa Fe parcels C and G. The subject site falls within the Corridor Mixed Use District based off this map (link) and has a Planned Overlay District which seems to indicate the prior PD is applicable until terminated or amended. Is this the correct interpretation?
33	9/2 John Hesse/Greg Saia/Sean Murphy and Toll Apartment Living (always CC these three)	Our second question is, what is the appropriate zoning to apply to the 9.7 acre site? Based on table 10-3-2.2.1 (attached), we'd prefer to apply the APT/CM site plan standards then add the required 20k sf of commercial to the site plan. Is that permitted? If not, can you please provide guidance on what the appropriate zoning and product mix is per the draft ULUC? (PHOTO IN EMAIL)
34	8/24 email from Gary Ellermann	We're going through the latest code updates and taking an initial look at your Zoning Map. I'm just curious on one item: Why are things like the Polo Club and the South Suburban Golf Course designated as CM (Corridor Mixed) instead of residential and recreational uses, respectively? I know you don't have a recreational category. Tax implications? Let me know when you can.
35	Ken Fellman redline markups	Reviewing how KKC incorporated Fellman redlines on WCF in Chapter 1 and in definitions
36	9/3 Ken Fellman markups	One thing I noted but didn't change throughout, is that sometimes we capitalize defined terms and other times we don't. I recall that Kelli Narde was always a stickler about being consistent with capitalization (or not) and I tend to be as well. So someone may want to decide which way to go and then do a run through the entire code checking all the defined terms.
37	9/8 Teddy Richardson email (also see 8/9 email and entry in other smartsheet)	I. Clarity needed in the Residential Lot and Building Standards for CMU districts.
38	9/8 Teddy Richardson email (also see 8/9 email and entry in other smartsheet)	II. Conflict with the Land Use Matrix and Building Standards Table – CMU Districts.
39	9/8 Teddy Richardson email (also see 8/9 email and entry in other smartsheet)	III. Confusion over ULUC Zone Districts Mapped from the Comprehensive Plan
40	9/8 email from Roger Mattingly	My wife and I purchased a house at 5585 S. Elmwood St in Littleton and would like to let you know we are in favor of the City of Littleton's interest in ADU units on our property as well. (SEE EMAIL...) I truly hope the city votes to pass this measure in October. If I can be any help, Please let me know.
41	9/8 email from Carol Fey	Is there a proposal with the city to change the property across from 7796 S Prescott St and 7806 S Prescott St from recreational to residential? It's that years-old problem with an empty swimming pool, and the owner who didn't want to fill it or sell it. -- will the ULUC will make this change? I think not, but the people at the addresses noted above are worried.
42	9/16 Teddy Richardson email after 9/15 meeting with staff - new questions	1) It was our recollection at yesterday's meeting that the lot percentage requirements proposed in the design chapters – specifically Chapter 3 of CMU, were to be removed. Is that still the case, or will the revised draft still have lot percentage requirements in the CMU standards and other design standard chapters?
43	9/16 Teddy Richardson email after 9/15 meeting with staff - new questions	2) You will recall we discussed at length the Land Use Matrix and permitted residential uses within the CM district. From our review, it's our understanding Dwelling, Multi-Family (Apartment) is listed as a standalone, permitted use by right not subject to further review as denoted in Section 10-1-1.3 (A) (1), but there still appears to be some confusion regarding the attached "2" footnote (listed as "P2") in the land use matrix. The footnote in the draft posted online as of this writing notes "Permitted subject to standards in the CM district and/or (emphasis added) within a mixed-use development subject to approval of a Master Development Plan." It would be helpful to have some clarity around this language, or whether it will be revised to provide more direction around the use as a permitted use by right or if it's subject to any additional review criteria. For example, the adopted Comprehensive Plan lists Corridor Mixed Use - Primary Land Use Types to include: "Multi-unit attached residential, whether for rent (apartments) or ownership (condominiums, townhomes, row houses, etc.), and whether permitted by zoning as a stand-alone use or (emphasis added) only as a component of a mixed-use development." (page 34, Comprehensive Plan): Moreover, the adopted Comprehensive Plan also notes that mixed-use outcomes may not viable given various variables of a site, including its location along more residential nodes and corridors. The Comprehensive Plan also notes on Page 34 that "Not all properties within this designation will be viable for or result in mixed-use outcomes given their size, location, and/or market position" Therefore, the language in footnote #2 of the Land Use Matrix appears to be conflicting or contradictory with the intent of the Comprehensive Plan's direction for CM districts as it relates to stand alone uses, largely because of the insertion of "and/or" within the footnote itself. So clarity on this footnote issue as it pertains to stand alone uses would be most appreciated.

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44	9/16 Teddy Richardson email after 9/15 meeting with staff - new questions	3) Taken into consideration footnote #2's reference to mixed use developments subject to approval of a Master Plan Development, we also had some clarifying questions as to the process and criteria of Master Plan Development approval. Specifically, Section 10-9-4.2 (B) (d) (1) and (2), appear to require all large-scale development with more than 100,000 SF of gross floor area, or two more separate buildings and a combined square footage of 150,000 SF to be approved via a Master Plan Development through City Council. Is the intent of the draft ULUC really meant to subject - what appears to be a great swath of large parcels in the CM district - to additional City Council approval? It's our understanding the ULUC is meant to provide more predictability, clarity and direction to developers on what use and purpose of future land development is permitted, but this particular section appears to be in conflict with the overall objective of the ULUC if multiple landowners/developers would be subject to an additional approval by City Council even after the adoption of the ULUC. To that end, it would be helpful to have more clarity on the type of Master Plan Developments that are subject to additional council approval. This is important because what is presented in the current draft appears to be contradictory with the intent of a much more simplified, streamlined ULUC to implement the vision of the Comprehensive Plan.
45	9/16 Teddy Richardson email after 9/15 meeting with staff - new questions	4) Finally, if the intent of the ULUC code is to still require applicants to seek approval from City Council for certain-sized parcels as identified in Section 10-9-4.2 (B) (d), we would also have some questions pertaining to the decision criteria listed in section 10-9-4.2 (C). Specifically, criterion 9 suggests that Council may approve or deny a Master Development Plan if the development is not phased in a manner to include a mix of uses. Would this requirement subsequently be contradictory to the stand-alone use allowance as prescribed in the Comprehensive Plan or any other permitted use allowance in the land use matrix? It appears this criterion is also quite subjective with the insertion of "as applicable", which could also lead to more confusion as to what is applicable under this criterion by both City Council and applicants.
46	9/20/21 Meeting with Jay Maisch, Mike and Jen	allow townhomes in MLR. Suburban residential in the Comprehensive Plan calls for "planned Development....."
47	9/20/21 Meeting with Jay Maisch, Mike and Jen	Where are the regulations for Open Space and how does a cemetery get zoned to Open Space
48	9/20/21 Meeting with Jay Maisch, Mike and Jen	Why is there a requirement for an HOA with subdivisions? Why can't a maintenance declaration suffice
49		
50		Items to address in future ULUC versions/Have community input on
51		
52	Punch list items	Open space section and standards
53		Move chapter 9 to beginning of code
54		Preliminary Project Plan talk about what can go through it
55		Vet and organize Table 10-9-3.5.1 Common Decision Criteria
56		Determination - 10-9-3.8 - unclear of what this does
57		Revocation of Approval - 10-9-3.8 - Needs LEGAL review
58		Need section on Deannexation
59		Master Sign Plan - Deviations - need to revisit ability to grant these variances
60		