



Legislation Details (With Text)

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Title:	Ordinance 24-2021: An ordinance on second reading repealing Littleton City Code Titles 10 and 11, and portions of Title 4, and replacing them with Title 10, the Unified Land Use Code		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 1. Ordinance No. 24-2021, 2. 2. Exhibit A - Unified Land Use Code Link and Table of Contents, 3. 3. Exhibit B - Zoning Map, 4. 4. Staff Report, 5. 5. ULUC Redline DRAFT Comments, 6. 6. Citizen Comments_10-14.2021, 7. 7. PC Resolution No. 06-2021_SIGNED, 8. 8. Presentation_Ord. 24-2021		

Date	Ver.	Action By	Action	Result
10/19/2021	2	City Council	approved	Pass
10/5/2021	1	City Council	approved on first reading	Pass

Agenda Date: 10/19/2021

Subject:

Ordinance 24-2021: An ordinance on second reading repealing Littleton City Code Titles 10 and 11, and portions of Title 4, and replacing them with Title 10, the Unified Land Use Code

Prepared by: Kathleen Osher, Community Services Director

PURPOSE:

Consider an ordinance approving the Unified Land Use Code (ULUC) to replace Littleton City Code Titles 10 and 11, and portions of Title 4.

PRESENTATIONS:

Staff Presenter(s): Jennifer Henninger, Community Development Director
Kathleen Osher, Community Services Director

Additional Presenter(s): Bret C. Keast, AICP, CEO, Kendig Keast Collaborative

SUMMARY:

It has been nearly half a century since the City's land use and zoning codes have been entirely updated with the last complete update occurring in 1976. The Unified Land Use Code (ULUC) will introduce a new structure and adopt a methodology for land use and zoning that is clear, simple, and focuses on quality design and land use. The ULUC articulates what the city wants instead of what is prohibited. The new structure takes a more active approach to absorb new practices and procedures and ensure the land use and zoning code carry the city forward for the next decades.

After four years of community input through the Envision Littleton process, the ULUC is under consideration

for adoption. On September 20, 2021, HPB recommended approval of the ULUC with three minor conditions to the parts of the ULUC pertaining to historic preservation:

- 1) Section 10-8-4.3(A)(2)(a) paragraphs three and four, replace "fair rate of return" with "reasonable rate of return"
- 2) Section 10-9-8.1(B)(3)(a) insert the words "interior of" as follows: "A Certificate of Appropriateness shall not be required for any change to the interior of a designated history property or INTERIOR OF any building in a historic district"
- 3) Section 10-9-8.1(B)(3)(a) insert the words "interior of" as follows: "A Certificate of Appropriateness shall not be required for any change to the interior of a designated history property or INTERIOR OF any building in a historic district"

On September 27, 2021, planning commission recommended approval of the ULUC with four conditions:

- 1) Section 10-9-5.1(C)(2) replace references to harmful effects with adverse impacts
- 2) In Tables 10-2-3.2.2 through 10-2-3.2.11 eliminate row F under the Building Heights and Upper Story Step-backs section
- 3) Table 10-3-2.2.2 change footnote 4 to read "Height is based upon maximum first floor height of 14 feet"
- 4) Amend the official zoning map to prohibit duplexes in those SLR zoning districts South of W. Caley Avenue

In addition, planning commission directed staff to make a number of administrative modifications prior to adoption:

- 1) In Table 10-1-1.1.1 Base Zoning District, change the minimum of 1/2 acre to 20,000 square feet to match with the minimum lot size in the LLR zone district
- 2) Modify the zoning map so there is more of a color difference between SLR and MLR
- 3) Add additional zoning district labels to the zoning map including some PL-O/SLR zone districts that are missing
- 4) Add in city initiated rezoning process that was recently adopted by city council into Chapter 9
- 5) Further clarify the notification process associated with a PL-O reversion
- 6) Remove reference to neighborhood convenience in the ULUC
- 7) Clarify animal-oriented uses based on email from citizen
- 8) Clarify what incidental sign is
- 9) Clarify parking minimum for restaurants
- 10) Raise length of building in Table 10-1-1-7.2 for SLR to 25' for an existing structure
- 11) Outline some scenarios that would "trigger" a PC review of a master development
- 12) Clarify what qualifies as a Minor and Major Plan Amendment
- 13) Transitional provisions need to be further clarified that allow staff to make minor changes to the ULUC without public hearing

These changes in addition to the staff changes are administrative in nature for consistency and clarity and will be made prior to the official version of the ordinance being signed into effect by council. It was determined that sending out an entire new version of the code with the changes listed at this late stage would be counterproductive to the hours upon hours that the public and council have spent with this recent iteration.

PRIOR ACTIONS OR DISCUSSIONS:

Envision Littleton was developed to be a multi-year and multi-milestone commitment to planning for the next 20 years of the City. The top priority identified in the Comprehensive Plan is to update the City's regulatory

framework and transition to a ULUC. The ULUC kicked off during the February 10, 2020 community event hosted at Town Hall Arts Center and the February 11 Joint Leadership Session of city council and planning commission.

- On April 7, 2020 city council amended KKC's contract to prioritize the Downtown Building Block and amend the city's zoning regulations prior to those changes being incorporated in the finalized ULUC
- On May 5, 2020 council adopted Phase I amendments to the City Code relative to Downtown and approved an extension of the temporary moratorium on any new development containing more than one residential unit within the downtown area which expired in October 2020
- On March 23, 2020 the first Envision Studio focused on Downtown was held with 70 participants
- On May 18, 2020 the second Envision Studio focused on Downtown was held with 72 community attendees
- On May 19, June 2, June 23, and June 30, 2020 council held study sessions on proposed changes to Phase II amendments of Littleton's City Code
- From July 1-31, 2020 the public review and comment period was opened for proposed Phase II amendments
- On August 24, 2020 HPB unanimously recommended approval of the Phase II amendments with three conditions
- On August 31, 2020, planning commission recommended 6-1 the Phase II amendments with 4 conditions
- On October 6, 2020 city council adopted the Phase II amendments to Title 10 of the Littleton City Code relative to Downtown development
- The next building block focused on mixed use and corridors and on November 9, 2020 the first studio focusing on corridors was held with 77 participants
- On December 14, 2020 the second studio occurred with approximately 54 participants
 - This webinar was posted on the dedicated project site and the polling questions were added to Open Littleton with an additional 25 respondents
- On February 8, 2021 planning commission met with the Housing Task Force to discuss housing goals and strategies for consideration in the ULUC
- On February 10, 2021 the first studio focused on neighborhoods occurred and about 80 members of the Littleton community participated
 - Again, the webinar was posted on the project site and the polling questions were added to Open Littleton which added an additional 61 responses
- On March 8, 2021 planning commission was updated on the ULUC and schedule for upcoming study sessions
- The second studio for the neighborhood building block included three small breakout groups and participant discussion and occurred on March 22, 2021 with about 70 participants
- On April 12, 2021 planning commission held a study session to discuss Accessory Dwelling Units (ADUs) and Single-Family Lot Sizes
- On April 26, 2021 planning commission discussed Short Term Rentals (STRs) and Land Use Concepts during their study session
- The final studio was focused on the business and industry areas in the city and held on May 3 with 78 registered attendees
- On May 10, 2021 planning commission discussed Downtown amendments and parking during their study session
- KKC and staff provided a briefing on the progress of the ULUC to city council during their May 11, 2021 study session where Council revisited the project goals, the overall approach/methodology,

- outreach underway, parking lot items, and the logistics for commenting and reviewing the draft ULUC
- On May 24, 2021 planning commission discussed the reader's guide for the ULUC and staff outreach efforts during their study session
- The draft ULUC was released on June 7, 2021 for public comment and review
 - The draft was available until July 30, 2021
- Council discussed the findings of the two economic models on June 22, 2021 in the context of land use policy decisions and any refinements of the draft ULUC
- On June 28, 2021 planning commission had a joint session with the Housing Task Force and discussed ULUC sections related to the Corridor Mixed Use Chapter and the Accessory Uses, Buildings, Structures, and Dwelling Unit Sections
- On July 12, 2021 planning commission had a joint study session with the historical preservation board (HPB) to discuss the Historic Preservation Code and Chapter 4 focused on neighborhoods
- Staff and KKC presented a briefing on the ULUC during the July 13, 2021 council study session
- On July 26, 2021 planning commission discussed the role of the commission during adoption process of the ULUC, remaining policy issues, and Chapters 5 and 7 of the draft ULUC during their study session
- On August 9, 2021 planning commission discussed remaining policy issues, and Chapters 6 and 9 of the draft ULUC during their study session
- On August 10, 2021 Council discussed how STRs have been incorporated in the ULUC to set the stage for their direction during the August 24 study session
- On August 17, 2021 council discussed and provided direction to KKC on housing & affordability, parking & loading, design standards, and sustainability incentives
- On August 19, 2021 planning commission discussed remaining policy issues of the draft ULUC during their study session
- On August 24, 2021 KKC reviewed the redline draft ULUC and the proposed zoning map with Council
- On August 24, Council provided direction during their study session on Accessory Dwelling Units
- On August 25, 2021 KKC reviewed the redline draft ULUC and the proposed zoning map with Council
- On September 20, 2021 HPB recommended approval with three minor conditions the parts of the ULUC pertaining to historic preservation
- On September 27, 2021 planning commission recommended approval with four conditions

This ordinance passed on first reading on October 5, 2021.

ANALYSIS:

Staff Analysis

Public Outreach

The draft ULUC was available this summer, from June 7 - July 30 and staff received over 700 comments. Outreach to the public regarding the ULUC included the following:

- Creation of and airing of a four-part video series on channel 8 and social media
- Hosting four Open Littleton survey
- Placement of 90 posters and yard signs displayed throughout the city
- Distribution of paper surveys to 22 different locations
- Translation of all outreach materials to English and Spanish

Revisions to Draft

All these efforts resulted in hundreds of comments being added to enCodePlus, the software the City is using for the ULUC. The outreach also resulted in other emailed comments and reviews from outside partner agencies. Staff and the consultant then integrated the comments into a revised redline draft of the ULUC. The

revised draft was available for review on the EnvisionLittleton.org website between August 19 - September 16, 2021. The proposed ULUC for consideration was posted on EnvisionLittleton.org on September 17.

Zoning Map

During the review period of the ULUC, KKC along with staff created a draft zoning map which took initial direction from the adopted Future Land Use and Character Map. The draft zoning map was posted on the EnvisionLittleton.org website on August 19. Much of the proposed zoning map is a renaming of existing zoning districts. The new concept of a specific mixed use zone district is proposed with the zoning map and is referred to as Corridor Mixed (CM). An interactive version of the zoning map was available from August 23 to September 10 and roughly ten online comments were received. On September 27th, planning commission noted some labeling issues with the map that have now been addressed and reflected in the zoning map attached to this packet dated 10/2.

Council Goal, Objective, and/or Guiding Principle

Goal 1: Unified Land Use Code

Fiscal Impacts

N/A

Alternatives

City Council may recommend approval with specific conditions.

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 24-2021, with PC and HPB proposed conditions, approving the proposed ULUC and zoning map.

PROPOSED MOTION:

I move to approve Ordinance 24-2021 repealing Littleton City Code Titles 10 and 11, and portions of Title 4, and replacing them with Title 10, the Unified Land Use Code, and the associated Zoning Map.

REFERENCES:

Link to ULUC (Exhibit A)

<https://online.encodeplus.com/regs/littleton-co/doc-viewer.aspx#secid-4>
<<https://online.encodeplus.com/regs/littleton-co/doc-viewer.aspx>>

Link to Zoning Map (Exhibit B)

[doclibrary.aspx \(encodeplus.com\)](https://online.encodeplus.com/regs/littleton-co/doclibrary.aspx?id=96f2dff6-69a4-4773-b96c-72cf6f9afebc) <<https://online.encodeplus.com/regs/littleton-co/doclibrary.aspx?id=96f2dff6-69a4-4773-b96c-72cf6f9afebc>>