

Legislation Text

File #: PC Reso 21-2017, **Version:** 1

Agenda Date: July 24, 2017

Subject:

A resolution to amend Title 11, Subdivision Regulations, Chapter 9, Administrative Plat and Replat

Presented By: Jocelyn Mills, Community Development Director

APPLICATION SUMMARY:

The application is a proposal to amend Title 11, Subdivision, specifically related to 11-1 Purpose, 11-6 Definitions, and Chapter 9, Subdivision Exemption.

BACKGROUND:

Generally in land use, zoning codes establish uses and performance standards for each zone district. Subdivision codes provide the process for creating the records of legal land title for establishing lots, via recorded plats. Title 11 is Littleton's Subdivision code.

Earlier this year, on May 16, City Council approved Ordinance 13-2017 on second reading, an amendment to the city's Subdivision Regulations, primarily related to Chapter 9 of this code. Prior to this, Planning Commission had recommended approval of that draft ordinance to city council.

This ordinance is a minor update to further clarify the language in Chapter 9 regarding Section 4, Criteria for Decision. Ordinance 13-2017 is attached to this staff communication for reference.

PROPOSED AMENDMENTS:

Chapter 9 provides the administrative plat and replat process for the establishment of one or two lots.

The proposal is for minor updates to Chapter 9, and include:

- Clarifying 11-9-4 (B) language to accurately reflect the intention that lots that are ***MORE*** than twenty-five percent smaller... are not eligible for an administrative plat or replat. This replaces the existing text of "less" with "more" as identified in bold italics above.
- Clarifying 11-9-4 (C) language to clarify the definition of "adequate." The proposed re-write of this section is as follows, as identified in bold italics:

Each parcel created by the administrative plat has adequate water and sanitary sewer facilities. ***THE APPLICANT SHALL PROVIDE EVIDENCE THAT PUBLIC WATER AND SEWER FACILITIES ARE AVAILABLE TO SERVE EACH LOT. THIS SHALL BE IN THE FORM OF "WILL SERVE" LETTERS FROM THE APPROPRIATE SERVICE PROVIDERS.***

Based on city code and state regulations, subdivisions must be able to show that there is availability of water and sewer to serve the property. While other sections within the city's subdivision code reference the requirement that water and sewer is available, staff believes the original code intent of this section was to ensure applications to establish one or two lots also adhered to this city and state requirement.

STAFF RECOMMENDATION:

Staff recommends planning commission approve PC Resolution 21-2017, recommending approval to city council, an ordinance to amend Title 11, Subdivision, Chapter 9, Administrative Plat and Replat.

PROPOSED MOTION:

The planning commission may take the following actions on the application: approve; approve with conditions; continue to a date certain; and deny. A sample motion is provided for each option.

MOTION TO APPROVE AND/IF NECESSARY, WITH CONDITIONS

I move to approve PC Resolution 21-2017, to amend Title 11, Subdivision, Chapter 9, Administrative Plat and Replat, which forwards a favorable recommendation to city council, with the following condition(s):

- 1.
- 2.

MOTION TO CONTINUE TO A DATE CERTAIN

I move to continue the public hearing on PC Resolution 21-2017, to amend Title 11, Subdivision, Chapter 9, Administrative Plat and Replat, to _____ (insert date) in order to _____.

MOTION TO DENY

I move to deny PC Resolution 21-2017, to amend Title 11, Subdivision, Chapter 9, Administrative Plat and Replat. The foregoing denial is based on the findings that the proposed work:

Note: Identify criterion or criteria not met and adjust motion accordingly:

- 1.
- 2.

Attachments:

1. PC Draft Resolution
2. Draft ordinance
3. Ordinance 13-2017 (ordinance earlier this year that amended Title 11, primarily Chapter 9)