

## Legislation Text

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**File #:** PC Reso 27-2018, **Version:** 2

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Agenda Date: 11/12/18

**Subject:**

Resolution to Amend Title 11, Regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10 for Condominium Subdivisions

<b>Presented By:</b> Jocelyn Mills, Community Development Director and Steve Kemp, City Attorney
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**PROPOSED CODE AMENDMENT:**

The proposal is to amend the city's subdivision code regarding minor subdivisions and administrative plats and replats, and to establish a new chapter for condominium subdivisions.

**BACKGROUND:**

A major component of the land use process in any city is the rules governing the subdivision of land. Most cities have moved towards a unified development ordinance where all of the requirements are located in one place. This process provides for greater citizen input, while minimizing expenses to applicants who may be subject to provisions in other parts of the code that they may not be aware of.

As staff has evaluated past studies of the code, the operation of the code, and improvements that will impact processes, it is clear that revisions are needed to the subdivision code. The proposed changes are the first stage in updating this code and providing enhanced response to both citizens and applicants in the development process.

**PRIOR ACTIONS OR DISCUSSIONS:**

Study sessions on these proposed amendments were presented to City Council on August 14, 2018, and to Planning Commission on August 27, 2018. Feedback from these study sessions were taken into account with the drafting of these proposed code amendments.

The draft code amendments were also posted on [LittletonPlans.org](http://LittletonPlans.org) for community review between November 5 and November 11, 2018. All comments received will be presented to the planning commission at the November 12 meeting.

**STAFF ANALYSIS:**

The goal of the proposed update is to update the subdivision code to allow for more efficient processing of subdivisions by the city. To this end, the following objectives are being addressed with this proposed amendment:

- Move subdivision related language into a single code making it easier for users and citizens to know the rules.
- Recognize that the review required for minor subdivisions should reflect the fact that they are not as complex as major subdivisions.
- Address missing areas of the subdivision process such as correction plats and condominium plats.

The following table outlines the proposed changes.

	Proposed Change	Reason
1.	Move Section 4-1-9 into Chapter 11	Ties building permits to subdivisions, should be in subdivision code
2.	Combine minor subdivisions and administrative plats into a single process	a. Minor subdivisions and administrative plats involve from one to ten lots. Unlike major subdivisions there is usually no new public infrastructure being constructed and dedicated. b. Combine preliminary and final platting process into a single process that when complete is submitted once to the city council. c. Allow use of the minor subdivision process for all developments of ten lots or less unless there is an appeal of a requirement. d. Remove unnecessary review processes costing both applicants and the city time and money
3.	Amend 11-4-2	e. Administrative items such as numbers of copies are addressed in operating statutes and may change. f. Include compliance with operating standards as part of the review g. Recognize that planning commission and city council reviews are not quasi-judicial but administrative in nature
4.	Add a new 11-4-3 to provide for correction plats	a. Frequently plats will be submitted with minor errors, such as a setback line in the wrong place or an improperly worded note. Currently, we require an entirely new plat to correct errors.
5.	Delete 11-9 on administrative plats	a. Combined into minor subdivisions
6	Add a new Chapter 11-10 on condominium plats	a. Currently the city has no process to create condominium plats, applicants are told to go to the county. b. No guarantee city standards are followed. c. No review by city as to compliance with codes. d. City will now regulate condominium subdivisions.

#### OPTIONS/ALTERNATIVES:

The planning commission may take the following actions on the application: forward recommendation of approval to city council, forward recommendation of approval with conditions, continue to date certain, or forward recommendation of denial. A sample motion is provided for each option.

**STAFF RECOMMENDATION:**

Based on staff's analysis, it appears the proposal to amend Title 11, Regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10 for Condominium Subdivisions into the city's zoning code is in compliance with the pertinent goals and policies of the city's comprehensive plan, and promotes the general welfare of the community. Therefore, staff recommends approval of PC Resolution 27-2018.

**PROPOSED MOTION:**

***Motion to Approve and/if necessary, With Conditions***

I move to approve PC Resolution 27-2018 to Amend Title 11, Regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10 for Condominium Subdivisions, *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 27-2018 to Amend Title 11, Regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10 for Condominium Subdivisions, to \_\_\_\_\_ (insert date) in order to \_\_\_\_\_.

***Motion to Deny***

I move to recommend denial of PC Resolution 27-2018 to Amend Title 11, Regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10 for Condominium Subdivisions, *which forwards an unfavorable recommendation to city council*. The foregoing denial is based on the findings that the proposed change:

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

- 1.
- 2.