



Legislation Text

File #: Ordinance 58-2018, **Version:** 4

Agenda Date: 01/15/2019

Subject:

An ordinance on second reading amending Title 11, regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10, for Condominium Subdivisions

Presented By: Mike Sutherland, Planning Manager
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REQUESTED CITY COUNCIL ACTION:

Approval of the city's proposed subdivision code amendments regarding minor subdivisions and administrative plats and replats, and establishing a new chapter for condominium subdivisions.

BACKGROUND:

A major component of the land use process in any city are 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. The proposed changes simplify the processes, provide greater efficiency, and consolidate regulations regarding subdivision of land.

Staff evaluated past studies of the code, the operation of the code, and improvements that will impact processes in formulating the proposed changes. The proposed changes are the first stage in updating this code and providing enhanced responsiveness 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. Comments from these study sessions were incorporated with the drafting of these proposed code amendments.

The draft code amendments were posted on LittletonPlans.org for community review between November 5 and November 11, 2018. All comments received were presented to the planning commission on November 12th. Planning commission recommended approval of these proposed code amendments during the November 12, 2018 hearing.

This ordinance passed on first reading at the regular meeting of the city council on December 18, 2018.

STAFF ANALYSIS:

The goal of the proposed update to the subdivision code is 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.

Attached to this staff communication is a chart highlighting applications received for administrative and minor plats since 2017. This chart shows that several applications that met the intent as an administrative plat were required to be processed as a minor plat due to the fact that these did not meet the block face character requirement, as outlined in the current code (11-9-4 (B)). The proposed amendments include deleting this block face character requirement and staff's analysis shows that the proposed change will not adversely affect community character.

OPTIONS/ALTERNATIVES:

City council has the following options:

- 1) Leave the subdivision regulations for administrative and minor plats as they are
- 2) Approve Ordinance 58-2018 as proposed by staff and recommended by the planning commission

STAFF RECOMMENDATION

Staff recommends approving Ordinance 58-2018 to amend Title 11, regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10 for Condominium Subdivisions.

The planning commission reviewed this information on November 12, 2018 and recommends approval of the amendments.

PROPOSED MOTION

I move to approve the ordinance on second reading amending Title 11, regarding Minor Subdivisions and Administrative Plats and Replats, and to create a new chapter, Chapter 10, for Condominium Subdivisions.