



Legislation Text

File #: Ordinance 05-2020, **Version:** 2

Agenda Date: 02/04/2020

Subject:

Ordinance 05-2020: An ordinance on second reading enacting a temporary moratorium on new development containing more than one residential unit within the downtown area as set forth in the Downtown Littleton Design Standards; and upon the submission, acceptance, processing, or approval of any site development plans, demolition permit, applications or plan approvals, or other types of approval by the City of Littleton related to such activities

Prepared by: Reid Betzing, City Attorney
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PURPOSE:

To approve an ordinance enacting a temporary moratorium on new development containing more than one residential unit within the downtown area as set forth in the Downtown Littleton Design Standards.

PRESENTATIONS:

Staff Presenter(s): Jennifer Henninger, Community Development Director;
Michael Sutherland, Deputy Community Development Director; and Reid Betzing, City Attorney

Additional Presenter(s): N/A

SUMMARY:

Since the adoption of the Comprehensive Plan in October of 2019, staff has identified the policies and goals that specifically apply to downtown development. Currently, there are inconsistencies between the Comprehensive Plan and the city's code which will lead to conflicts and interpretation challenges when it comes to downtown development.

The city may begin to address these types of conflicts with modifications to public engagement requirements, inconsistent allowed uses, lot-development regulations, height and parking regulations. These conflicts should be addressed as an initial approach prior to the formal adoption of a new Unified Land Use Code, which is not anticipated to occur until mid-2021.

After the December 10, 2019 study session, staff drafted several proposed changes to the Littleton City Code, the Downtown Littleton Design Standards, as well as administrative operating standards. Summaries of the proposed changes are attached.

PRIOR ACTIONS OR DISCUSSIONS:

At the December 10, 2019 and January 7, 2020 study sessions, staff discussed the proposed changes with council. On January 7, 2020 staff presented a proposal to impose a temporary 90-day moratorium on multi-family development applications in order to refine the changes and gather input prior to public hearings.

Passed on first reading at the regular meeting of city council on January 21, 2020.

ANALYSIS:

Staff Analysis

Over the past several years, 22 of the 24 development applications received for the downtown area have involved multi-family development. Several of these recently-approved developments may not be consistent or compatible with many of the goals and policies set forth in the newly-adopted Comprehensive Plan.

When analyzing the conflicts between the Comprehensive Plan and the city's zoning codes, staff identified 10 proposed changes to the city code, 10 proposed changes to the design standards, and eight proposed changes to the administrative operating standards. Each of the proposed changes has varying scope and impact.

Staff believes a 90-day moratorium is necessary given the volume of recent multi-family development activity and the potential for inconsistency with various provisions within the city's Comprehensive Plan, operating standards and the design standards.

Staff believes that the 90-day moratorium would allow staff, council, and the public more time to review and understand recommended changes before implementation. This approach would also allow staff to focus on future changes to the city's zoning regulations rather than the review of downtown development applications which may be inconsistent with the Comprehensive Plan.

Council Goal, Objective, and/or Guiding Principle

One of council's 2019 goals was to update the code extending into 2020 and align the code with the Comprehensive Plan.

Fiscal Impacts

None

Alternatives

- 1) Do not enact a moratorium and proceed toward an expedited adoption of proposed code, design standards, and operating standard changes
 - Risk: Potential downtown development applications being submitted between now and the expected spring 2020 adoption date may be inconsistent with the city's Comprehensive Plan. Staff does not believe this compressed approach for such a complex set of issues would support the city's citizen engagement commitment as well as be an effective use of council time.
- 2) Continue business as usual until all Unified Land Use Codes (ULUC) are finalized in 2021
 - Risk: Potential downtown development applications being submitted between now and the ULUC project may be inconsistent with the city's Comprehensive Plan. This alternative has the greatest potential of allowing development to occur that conflicts with the Comprehensive Plan and the expectations of the community.

STAFF RECOMMENDATION:

Staff recommends approval of an ordinance enacting a temporary moratorium on any new development

containing more than one residential unit within the area as set forth in the Downtown Littleton Design Standards.

PROPOSED MOTION:

I move to approve the ordinance on second reading enacting a temporary moratorium on new development containing more than one residential unit within the area as set forth in the Downtown Littleton Design Standards; and upon the submission, acceptance, processing, or approval of any site development plans, demolition permit, applications or plan approvals, or other types of approval by the City of Littleton related to such activities.