

CONDITIONAL USE WITH SKETCH PLAN

Attachment to Development Application



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APPLICATION PROCESS AND REQUIREMENTS

Legislative Purpose: The council does hereby declare that certain uses of land may exist only upon the imposition of extraordinary conditions through which compatibility with adjacent neighborhoods, or the community, may be achieved. These certain uses, designated below, may exist within the corporate limits of Littleton only upon application to and approval by the planning commission based on findings by the commission that:

(A) The proposed use, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood and/or the community.

(B) The use proposed will not be detrimental to the health, safety, general welfare of persons residing or working in the vicinity, or to property, improvements, or potential development in the vicinity. This determination shall be based on:

1. The nature of the proposed site, including its size, shape and topography and size, location and arrangement of structures;
2. The accessibility and patterns of pedestrian and vehicular traffic, including the type and volume of such traffic, location of points of ingress and egress, and the adequacy of off street parking and loading;
3. The provisions for conformance with the performance requirements contained in both Chapters 4 and 8 of the Zoning Ordinance, as applicable; and
4. The provisions for landscaping, screening, unobstructed open space, service areas, lighting, and signage.

(C) The proposed use will comply with the applicable provisions of the Zoning Ordinance and the City Code, any design guidelines adopted by the planning commission, and will not adversely affect the comprehensive plan.

Requirements and Conditions for Specific Uses: Except for conditional uses specified in subsection [10-2-24\(B\)](#) 5 of the Zoning Ordinance for the OS zone district, all land uses requiring conditional use approval are in section [10-3-2](#) (Land Use Table) of the Zoning Ordinance. There are certain conditional uses, which must comply with specific requirements other than the minimum performance standards and zone district limitations. These particular conditional uses include: utility installations which occupy more than 1,000 sq.ft.; childcare centers and private schools (including those located with churches); radio transmission towers, wind generators and similar structures; indoor amusements; commercial outdoor recreational uses; solid waste incinerators and transfer

stations; offsite commercial parking lots on residentially zoned property; commercial teen clubs, community correctional facilities; circuses and carnivals; open air markets; used motor vehicle sales; crematorium; animal boarding and care facilities; and studios for teaching fine arts and martial arts in residential zone districts. Attached are the additional requirements for each of these uses.

Requirements and Conditions for all Conditional Uses: All conditional uses specified above shall also be subject to the following requirements and conditions:

- (A) Application And Approval: Except as hereinafter provided, no conditional use shall be constructed, reconstructed, enlarged, relocated or otherwise established within the corporate limits of the city without application to, and approval by the planning commission as provided in section [10-8-4](#) of the Zoning Ordinance.
- (B) Harmful Effects: To the maximum extent possible, conditional uses shall be oriented to minimize any harmful effect the use may have on any adjacent property or use.
- (C) Minimum and Additional Conditions: The conditional use shall comply with all applicable requirements of the city code. The planning board shall impose such other conditions and limitations as they, in their sole discretion, may determine to be necessary to fulfill the purpose and intent of chapter 8 of the Zoning Ordinance.
- (D) Termination: Any one of the following shall terminate the right to operate a conditional use:
 - 1. Failure to initiate operation of the conditional use within twelve (12) months from the date approved by the planning commission unless a time extension is granted. The Director of Community Development may grant an extension of approval for no more than one year, if a written request for extension is filed with the planning division prior to the date of expiration. A decision to grant or deny the requested time extension shall be given not more than ten (10) calendar days from the request. The Planning Commission may grant a second time extension of no more than one year;
 - 2. Changing to a use permitted by right in the governing zone district;
 - 3. Discontinuance of the conditional use for a period of at least twelve (12) months;
 - 4. Violation of, or failure to comply with, the approved conditional use after the city provides reasonable notice to comply. In addition, the penalties and remedies of section [1-4-1](#) of the city code and section [10-1-4](#) of the Zoning Ordinance may be applied.

(E) Specifications Effective: Once any portion of the conditional use commences, all specifications and conditions pertaining to the conditional use become immediately effective unless the application includes phasing.

(F) Reinstatement: The process for reinstatement of any terminated conditional use shall be the same as for original approval.

Pre-application conference (Concept Meeting): A pre-application conference is required. The pre-application (Concept Meeting) form and information is on the City of Littleton website (www.littletongov.org). The applicant will follow the instructions stated in the pre-application form and information and submit the required materials to the Community Development Administrative Coordinator. The purpose of the meeting is to discuss with the applicant the concepts, feasibility, regulations and application requirements applicable to the proposal. The applicant will also be notified at this meeting of the process requirements, which may include Preliminary and Final Subdivision Plats, Site Development Plan or Sketch Plan.

Neighborhood Outreach Meeting: A neighborhood outreach meeting is required for the following application types: GPDP, GPDP Amendment, Conditional Use, Rezoning, and PDO.

The purpose of the neighborhood outreach meeting is to help educate adjacent property owners regarding a proposed development application in order to identify issues prior to filing the initial application with the city.

REVIEW PROCESS

Site Development Plan (SDP): If the proposed conditional use involves the development of vacant land, redevelopment of a developed parcel of land or the construction of a new principal or accessory structure or an addition to an existing principal or accessory structure, the applicant shall submit an SDP drawn in conformance with section 10-7-2 of this title.

Sketch Plan: If the proposed conditional use will be located in an existing principal or accessory structure on a developed parcel and where no expansion of such structure is required or the conditional use involves the placement of a structure that is not a building on improved property, the applicant shall submit a sketch plan instead of an SDP.

The City of Littleton has a two-step (2) review process divided into a preliminary review and a final review. The following text provides a summary of the review process and submittal requirements for a conditional use.

1. Conditional Use Application (Preliminary Review)

The applicant shall submit to the Planning Division in Community Development a completed application form and all checked submittal items on the application requirement checklist provided at the pre-application conference. The checklist on the following pages contains the requirements for preparing the Conditional Use application.

Once the city receives the application and assigns it to a planning case manager, the application will be referred to various city departments and appropriate outside agencies for review. Attached is a complete list of city and outside reviewing agencies. Please note that not all of the agencies listed receive every application for review.

City staff will schedule a technical review meeting to discuss the proposal with the applicant. This meeting may be set four (4) to six (6) weeks from the date the application is submitted in order to provide adequate time for a complete review of the proposed application. The Planner (case manager) will inform the applicant as to the date of this meeting, so that they and their team of consultants may attend. The applicant will receive comments prior to the meeting. The technical review meeting is an opportunity for the city staff and the applicant to discuss issues pertinent to the site and proposal based on the review of the application materials. At this time, city staff will discuss any required public and private improvements and other issues of concern. The applicant may also be required to hold a neighborhood meeting to discuss their proposal with the residents or business owners in the area.

2. Conditional Use Application (Final Review)

After the technical review meeting, the applicant will then prepare a revised application packet for final review, incorporating the comments received from city staff and the reviewing agencies and the items discussed at the meeting. The applicant should also include a letter addressing each comment. The applicant must make all required revisions to the application materials and resolve all outstanding issues prior to scheduling for the Planning Commission hearing.

The applicant shall submit the final version of the application materials directly to the planner (case manager). Planning staff shall review the proposal for compliance with Zoning Regulations (Title 10, City Code), other applicable regulations, the comprehensive plan, existing and proposed development, comments from affected agencies and shall frame the city staff's formal recommendation on the proposal.

3. Planning Commission

Planning commission hearings are on the 2nd and 4th Mondays of the month. The applicant shall provide notice of the hearing by erecting a notice sign(s) on the property. See attachment for specifications regarding the posting of notice.

The planning board shall determine if the request meets the statement of legislative purpose set forth in section 10-8-1 of the Zoning Ordinance based on the evidence and testimony presented at the public hearing. The planning commission may approve the

application, approve with conditions, or deny the request. The planning commission may table the matter to a date certain pending the provision of further information. Approval of a Conditional Use application by the planning commission shall be by resolution.

The planning commission may require conditions other than the minimum performance standards established in section 10-8-2 of the Zoning Ordinance if deemed reasonably essential for the health, safety, and general welfare of the public.

Application Submittal Requirements

Conditional Use and Sketch Plan

**The actual number of copies of the application documents will be determined at the pre-application conference.*

- Official Development Application Form, completed and signed.
- Application Fee.
- Written description of the proposal, which describes the existing use, the proposed use detailing the nature of the proposed operation including type of business, hours of operation and traffic generation. Additional information may be required depending on the type of conditional use (see attached supplemental requirements).
- A current title commitment and, if applicable, a notarized statement signed by the property owner consenting to the proposed application.
- Copy of notice sent to mortgage holder by registered mail (if applicable).
- Name and addresses of all mineral owners and lessees of mineral owners, including signed certification signature block which must be included in the application materials (see attached).
- A Sketch Plan including the following information:
 - Name and address of the property.
 - Name, address and telephone number of the applicant.
 - North point, date and scale (not smaller than 1" = 50' with 1" = 20' desirable).
 - Legal description.
 - Area map providing the following information:
 - Existing ownerships of the subject property and all abutting property.
 - Existing zoning and land use on the subject property and all property lying within five hundred feet (500').
 - Property lines and dimensions.

- Summary table describing the site area, site area coverage, gross floor area, building height, off street parking area and loading spaces, unobstructed open space.
- Access and adjacent public streets and alleys.
- Location and building outline of all existing structures.
- Location and dimensions of existing curb cuts, driving lanes, off street parking and loading areas, public transportation points, outdoor storage and trash disposal facilities, as applicable.
- Designation of paved areas, fences, lighting and signs.
- The location and use for all common open space.
- Architectural elevation drawings of each structure (actual photographs may be accepted as a substitute).