



**CONDITIONAL USE WITH SKETCH PLAN
APPLICATION PROCESS AND OPERATING STANDARDS**
Attachment to Development Application

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 Meeting

A pre-application meeting is required. Meeting materials shall be submitted through the City's eTRAKiT portal on the city website. The purpose of the meeting is to discuss with the applicant the concepts, feasibility, regulations and application requirements applicable to the proposal.

Neighborhood Outreach Meeting

A neighborhood outreach meeting is required prior to submittal of a formal application for the following application types: General PD Plan (GPD), GPD Amendment, Conditional Use, Rezoning, and Planned Development Overlay (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. It is recommended that neighborhood outreach meetings invite all property owners within 700 feet, and provide 7-10 day advance notice to neighbors for said meeting. Evidence of public meeting, map showing radius of invitations sent, sign-in sheet and summary of issues discussed during meeting is required to be submitted with a formal application.

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)

- a. 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.

- b. Complete initial submittals for site development plans (major and minor) and planned development overlays must include a color 3D photo-simulation that depicts the proposed development in the context of the existing block face. The 3D model must be compatible with ArcGIS Urban 3D (Sketchup, Revit, etc.). Any updates to the plans or overlays will be reflected on the 3D model so that each resubmittal may require an updated 3D rendering.
- c. The following requirement can be reduced or waived at the discretion of staff. A completed Comp Plan Checklist must be submitted as part of a complete land development application. Applicants will explain how their project addresses or advances each relevant policy and goal. Irrelevant policies or goals may be marked as such by the developer. The checklist will be uploaded to the Development Activity List and included with public hearing packets as necessary.
- d. 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.
- e. When a complete initial submittal has been accepted, postcards will be mailed notifying area neighbors of the project submittal. Postcards will be mailed to all owners, renters, and leasees w/in 700' of a project site.

For minor SDPs and any other project within a downtown design standard subarea, notice will only be mailed to other owners, renters, and leasees on the same block and to abutting properties, including the block face across the street.

The cost for materials and postage will be paid by the applicant and city staff will prepare and mail the postcards. The notification will include the project number, project type, project planner's name, phone number, and email address. If notification must be sent to an apartment or multi-family building, a paper notice will be posted by city staff in a public area of said building where residents can easily read the notice.

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. Applicants are also required to provide stamped envelopes for mailed notification of the application hearing to property owners within 700 feet.

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.

4. Construction Timing And Communication Plan

A Construction Timing and Communication Plan (Construction Plan) must be submitted to, and approved by, the Public Works and Community Development departments prior to acquiring a demolition, grading, or building permit. Once approved by the city, the Construction Plan will be posted on the developer's dashboard/website for approved SDP's. Construction Timing Plans will include:

1. Developer's contact information
2. Construction timing and work schedule
3. Construction staging and access map
4. Construction parking map for both machinery and workers' automobiles (both on and off-site)
5. List of any agreements between, or conditions met, by and between the developer and neighboring properties regarding any construction or landscaping improvements to be made to neighboring properties during construction
6. Neighborhood communications plan for alerting neighbors to all unexpected changes to the construction timing plan and planned and unexpected disruptions including, but not limited to utility shut-offs, street closures for trenching/boring/potholing and large site deliveries, etc.

The communications plan must establish a minimum number of 7 business day notification for all planned disruptions. The plan must also include details on how these planned disruptions and unexpected/emergency disruptions will be communicated to the neighbors via the developer's website, a neighborhood newsletter, and door hanger notices.

A postcard announcing the completion of the construction timing plan will be sent by the city to all residents and businesses w/in 250 feet of the project. The cost for producing and mailing the postcards will be paid by the developer.

Application Submittal Requirements **Conditional Use and Sketch Plan**

- 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).
- Evidence of Public Outreach Meeting (sign-in sheet, map of invitation area, summary of meeting issues, etc.)
- 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).