



City of Littleton

Meeting Agenda - Final

City Council

Tuesday, January 12, 2021

6:30 PM

Virtual Study Session

Viewing Options for Virtual Meetings:

Due to COVID-19, the City of Littleton is providing virtual coverage of city council meetings to protect the health of citizens, council members and staff. Meetings will not be held in the community room until further notice.

Options for viewing city council study sessions are as follows: watch the live telecast on Comcast or Century Link Channel 8, live on Facebook (www.Facebook.com/CityofLittleton), or visit www.littletongov.org/channel8 to watch the live stream on the city's website. To listen to the meeting on your phone, dial **669-900-6833** and, when prompted, enter Webinar ID: **977 6001 2881**. Contact the City Clerk's Office at **303-795-3780** with any questions.

1. Study Session Topics

- a) [ID# 21-005](#) ULUC Briefing

Attachments: [1. Presentation ULUC Briefing](#)

Scheduled time: 90 minutes

- b) [ID# 21-011](#) Short-Term Rental Update and 2021 Strategy

Attachments: [1. STR FAQ Sheet](#)
[2. STR Owner Inspection Form - DRAFT](#)
[3. Presentation STR Strategy](#)

Scheduled time: 30 minutes

2. Administrative Updates

- a) City Manager
- b) City Attorney

3. Adjournment

The public is invited to participate in, and/or attend, all regular meetings or study sessions of the City Council or any city Authority, Board or Commission. ***The Littleton Center is currently closed to the public and meetings are being conducted virtually.***



Staff Communication

File #: ID# 21-005, **Version:** 3

Agenda Date: 01/12/2021

Subject:
ULUC Briefing

Prepared By: Kathleen Osher, Community Services Director
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PURPOSE:

Staff and Kendig Keast Collaborative (KKC) will update Council on the progress of the Mixed Use and Corridor building block of the Unified Land Use Code (ULUC) and seek additional policy direction for the overall ULUC.

PRESENTATIONS:

Staff Presenter(s):	Kathleen Osher, Community Services Director and Jennifer Henninger, Community Development Director
Additional Presenters:	Bret C. Keast, AICP, CEO, Kendig Keast Collaborative

SUMMARY:

After adoption of the Phase II amendments to the existing Title 10 of the Littleton Municipal Code relative to Downtown development, staff and KKC launched the Mixed Use and Corridor building block of the ULUC with two Envision Littleton studios designed to gather community input.

The studio session on November 9, 2020 included a presentation to all attendees and four smaller breakout groups to discuss: perspectives and preferences, existing conditions on the ground, the details of our existing land use and zoning code, and the economics of land use.

The studio session on December 14, 2020 included both a presentation and polling questions focused on the corridors of Santa Fe, Broadway, Littleton Boulevard, and Bellevue Avenue.

The intent of the study session is for council to discuss their policy direction for the ULUC relative to corridors and mixed use as well as discuss items identified during the Downtown building block as ULUC parking lot items. The ULUC parking lot items will allow further discussion and additional Council direction on sustainability, greenscaping, and parking.

PRIOR ACTIONS OR DISCUSSIONS:

Envision Littleton was developed to be a multi-year and multi-milestone commitment to planning for the next 20 years of the city. The top priority identified in the Comprehensive Plan is to update the city's regulatory framework and transition to a Unified Land Use Code. The Unified Land Use Code kicked off during the February 10, 2020 community event hosted at Town Hall Arts Center and the February 11 Joint Leadership Session of City Council and Planning Commission on February 11, 2020.

The first Envision Studio focused on Downtown was held as a virtual webinar on March 23, 2020 with 70 participants.

City Council amended KKC's contract on April 7, 2020 to draft the contents of KKC's deliverable #1 - Downtown Building Block, by redlining the City's existing Title 10, Zoning Regulations; and carrying over the contents of KKC deliverable #1 from the existing Title 10 to the Consolidated Public Review Draft of the Unified Land Use Code in enCodePlus™ set for release in June 2021.

Staff provided a brief update to Council on the progress of the Unified Land Use Code project and adjusted timeline on May 5, 2020. Council adopted Phase I amendments to the City Code relative to Downtown on May 5, 2020 and approved an extension of the temporary moratorium on any new development containing more than one residential unit within the downtown area effective May 14, 2020. This moratorium was in place while Phase II amendments were considered and expired on October 11, 2020.

The second Envision Studio focused on Downtown was held on Monday, May 18, 2020 at 4:00 p.m. as a virtual webinar with 72 community attendees and about 20 staff, members of Council and Boards, and consultants. Council held study sessions on Tuesday, May 19, 2020, Tuesday, June 2, 2020, Tuesday, June 23, 2020, and Tuesday, June 30, 2020 to continue the policy discussion that provided direction for the public draft of Phase II amendments.

The public review and comment period of proposed Phase II amendments to Title 10 of the City Code was held between July 1 and July 31, 2020. The Historical Preservation Board unanimously recommended the Phase II amendments to Title 10 on August 24, 2020 with three conditions and Planning Commission recommended 6-1 the Phase II amendments to Title 10 on August 31, 2020 with four conditions.

On Tuesday, September 15, 2020 City Council heard the First Reading and set the public hearing for October 6, 2020 to consider the Phase II amendments to Title 10 of the Littleton Municipal Code relative to Downtown development.

On Tuesday, October 6, 2020, City Council adopted the Phase II amendments to Title 10 of the Littleton Municipal Code relative to Downtown development.

ANALYSIS:

Staff Analysis

The transition to the Unified Land Use Code is on schedule and on budget. Phase II amendments to the city's existing code relative to Downtown development are complete.

Council Goal, Objective, and/or Guiding Principle

Council Goal 1 - Envision Littleton

Fiscal Impacts

N/A

Alternatives

N/A

STAFF RECOMMENDATION:

N/A

UNIFIED LAND USE CODE

Corridor / Mixed Use
Council Briefing
01.12.21



KENDIG KEAST
COLLABORATIVE

Zoning | Progress & Status

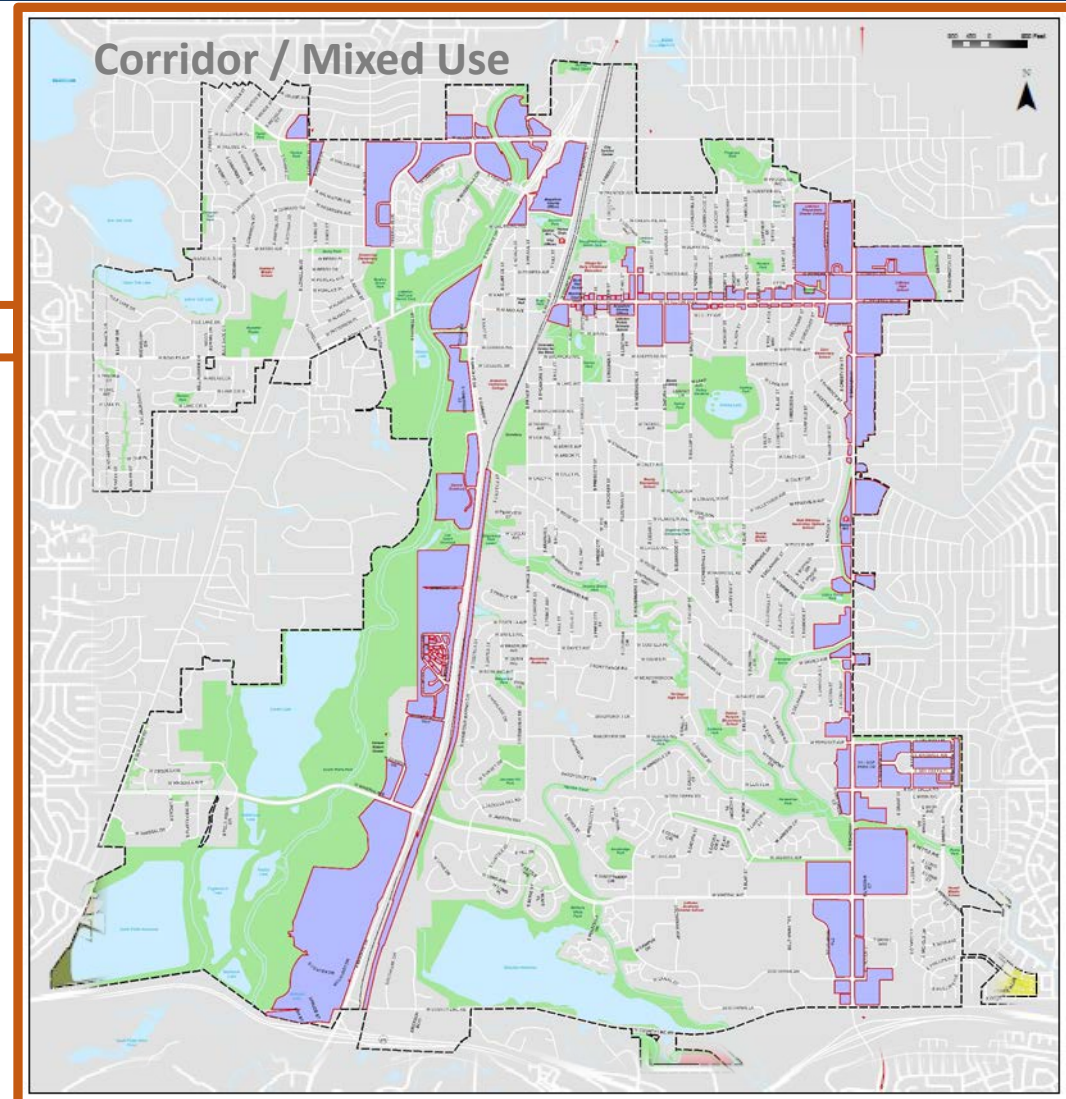
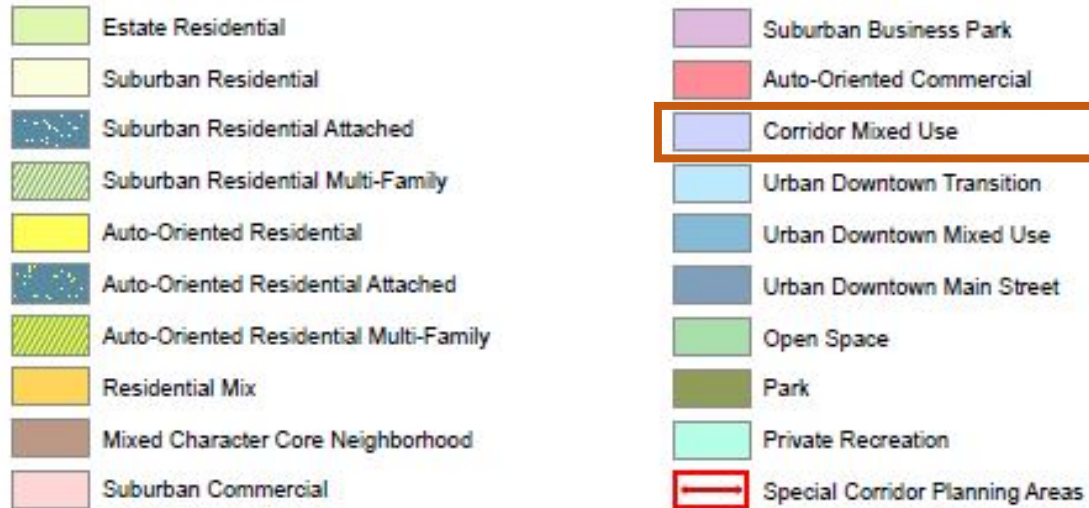
- What's Included, Applied Generally?
 - Building Design Standards
 - Single-Family Attached
 - Apartment
 - Mixed Use
 - Building Form and Material Standards
 - CPTED (Crime Prevention Through Environmental Design)
 - Sustainable Design
 - Greenscape Standards
 - Planting Requirements
 - Protection and Preservation
 - Landscape Requirements
 - Bufferyard Requirements
 - Vehicular Mobility
 - Parking and Loading
 - Design
 - Use and Maintenance

- What's Included, Applied Generally?
 - Alternative Mobility
 - Pedestrian and Bicycle Circulation
 - Bicycle Parking
 - Transit Access
 - Managed Access
 - Vehicular Access and Circulation
 - Vision Obstruction
 - Sign Standards
 - Outdoor Lighting Standards
- What's Included, Applied CMU Districts?
 - Districts and Uses
 - Frontage and Building Design
 - Frontage and Building Standards
 - Building Materials
 - Greenspace
 - Site Landscaping
 - Tree Canopy Coverage
 - Bufferyards

Zoning | Big Picture

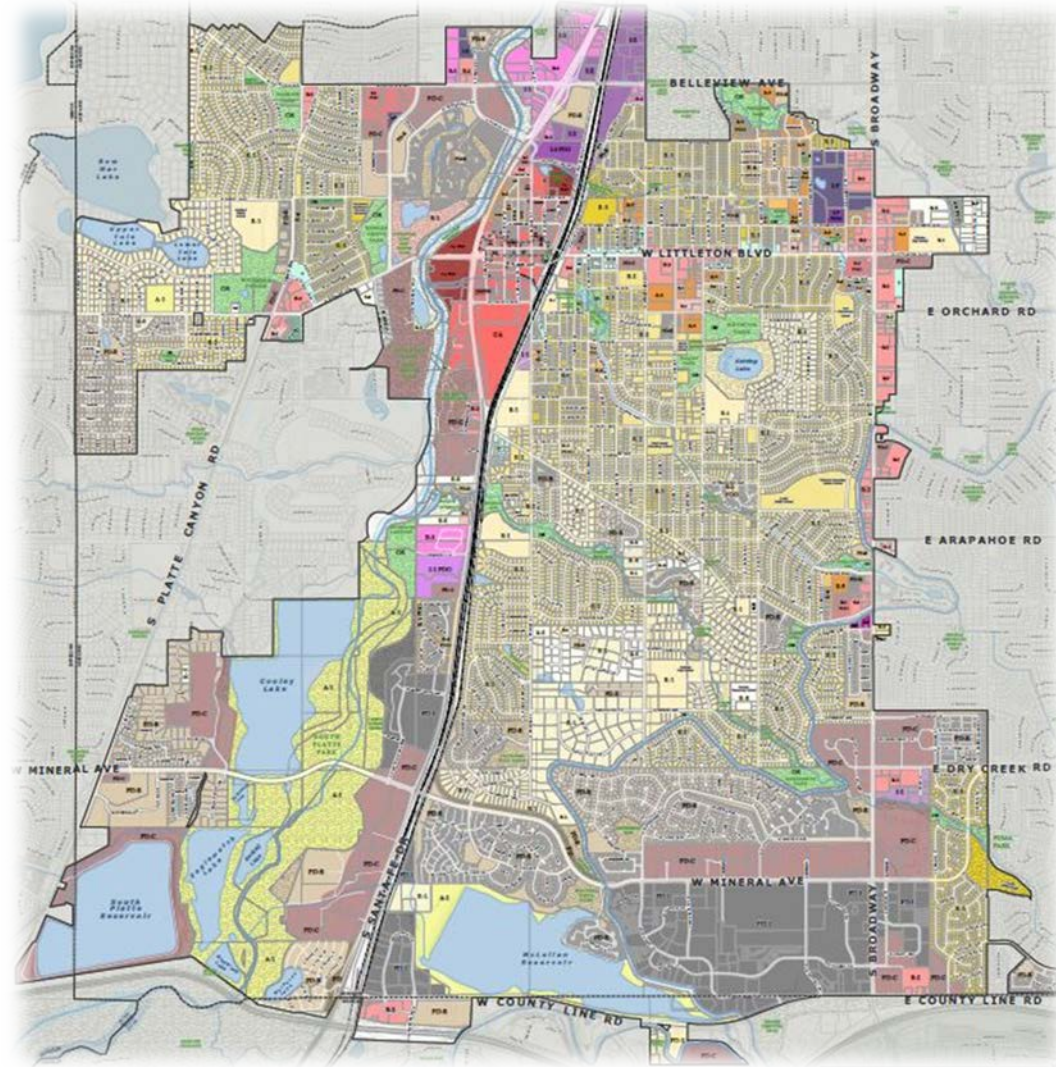
- Envision Studio Feedback
 - ✓ Priority is to retain the character
 - ✓ Site and building design more important than use
 - ✓ Desire for better site and building design, transition and bufferyard standards
 - ✓ Desire to rezone industrial land in CMU, as applicable
 - ✓ Highest priority in industrial performance standards followed by bufferyard standards
- District Consolidation
 - T and B-1 into SC, Suburban Commercial
 - B-2 and B-3 to CM, Corridor Mixed
 - Commercial office, retail and service
 - Residential, nonresidential and mixed use
 - PI, Public and Institutional
 - Planned Development
- Land Uses
 - Carry through current use standards
 - New use standards to manage consolidated districts
 - Definitions
- Building Height, Scale and Design
 - Height controlled by FAR and bulk-plane
 - Setbacks established by frontage type and form standards
- New Provisions
 - Landscape Surface Ratio (%)
 - Conservation District
 - Sustainable Design Incentives
 - Transit Shed
 - Pedestrian and Bicycle Circulation Standards
- Carry Over Issues
 - Sustainability
 - Landscaping
 - Tree Preservation
 - Tree Canopy Coverage
 - Parking
 - Electric and Alternative Fuel Vehicles
 - Compact Parking
 - Drive-Through Design
 - Parking Structure Design

Building Block | Corridor Mixed Use



Zoning | Corridor Mixed Use Areas

- T, Transition
 - Intended for residential, professional, and office
 - Buffer between single-family and other uses
- B-1, Neighborhood Business
 - Retail sales and personal services
 - Directed toward immediate neighborhood
- B-2, Community Business
 - Retail and personal services
 - No height limit or required setbacks
 - 20% open space
- B-3, General Business
 - Retail, personal services, wholesale, and limited light industrial (near identical uses as B-2)
 - No height limit or required setbacks
 - 10% open space
- PD-R, PD-C, PD-I, and PDO, Planned Development
 - Intended for flexible, mixed-use development
 - Includes conditions and performance standards
 - Requires PD or PDO plan
 - Adopted by ordinance
- I-1 / I-2, Light / Heavy Industrial



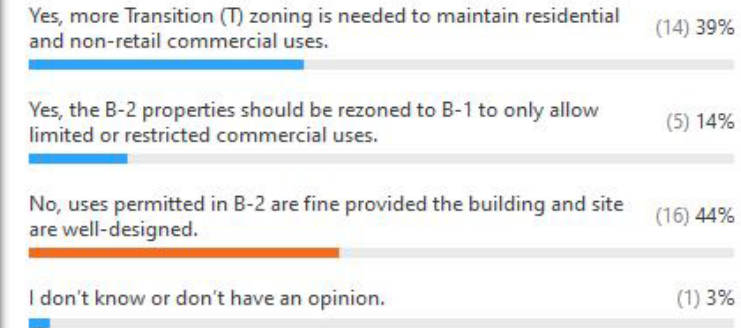
Poll | Littleton Boulevard

- **Should the zoning along Littleton Boulevard be changed due to the character of this corridor?**
 - Priority is to retain the character
 - Site and building design more important than use
- **Along Littleton Boulevard, should all redeveloped or new business and commercial uses place the building at or near the street, with parking only to the rear?**
 - Desire for buildings closer to the street
 - Limited parking in the front is okay provided it is well-landscaped
- **Should drive-through uses be permitted within the Neighborhood Business (NB) district?**
 - 60% okay provided good design, screening, etc.
 - 40% prefer not to allow

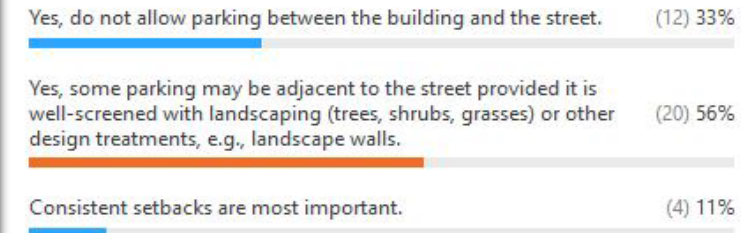
Sharing Poll Results

Attendees are now viewing the poll results

1. Should the zoning along Littleton Boulevard be changed due to the character of this corridor?



2. Along Littleton Boulevard, should all redeveloped or new business and commercial uses place the building at or near the street, with parking only to the rear?



3. Should drive-through uses be permitted within the Neighborhood Business (NB) district?



Zoning | Mid-Modern History



FIRST TIER BUILDINGS

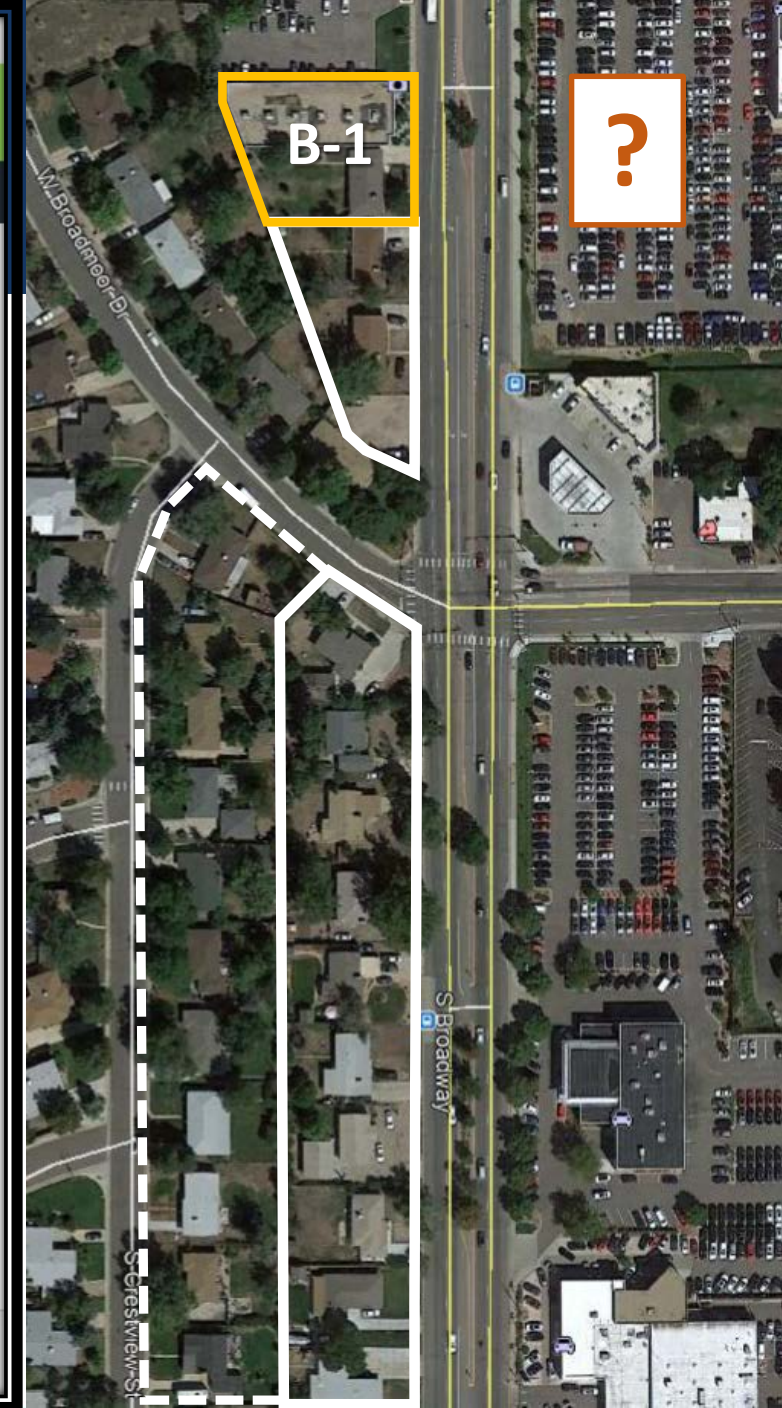
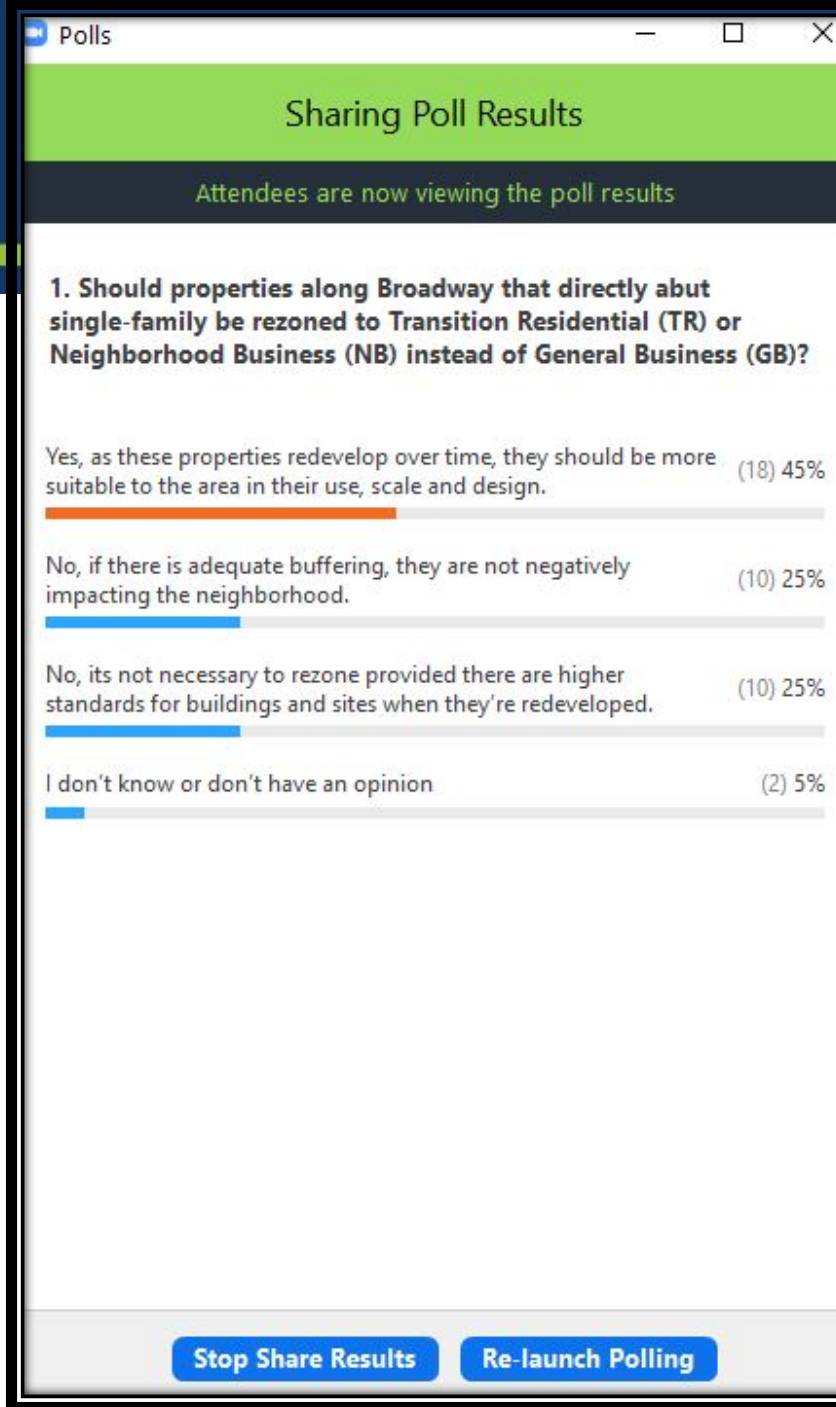


FIRST TIER BUILDINGS



Poll | Broadway

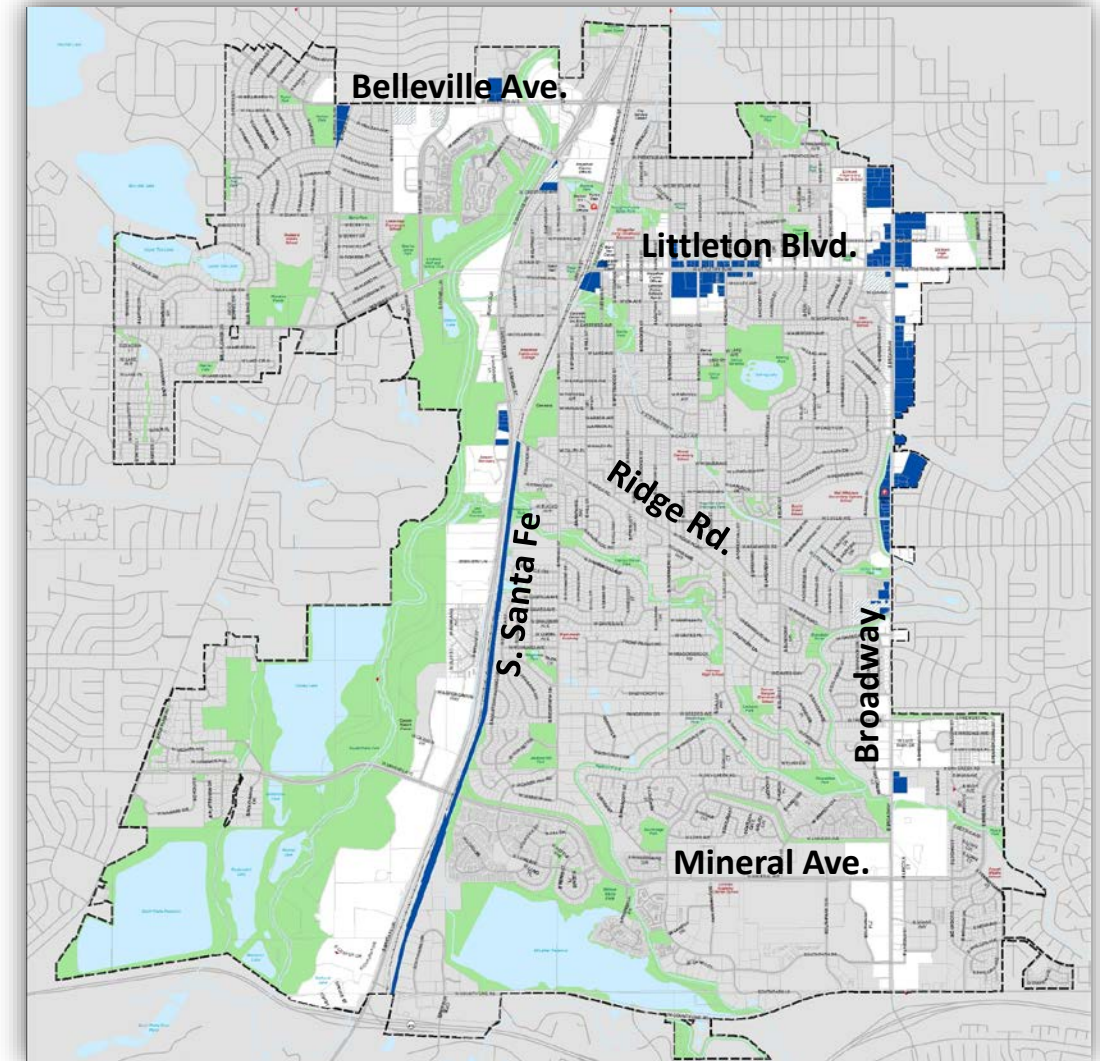
- Should properties along Broadway that directly abut single-family be rezoned to Transition Residential (TR) or Neighborhood Business (NB) instead of General Business (GB)?
 - Preference for improved development character (vs. front yard parking, shopping centers, etc.
 - Desire for better site and building design, transition and bufferyard standards



Zoning | Current

• B-2, Community Business

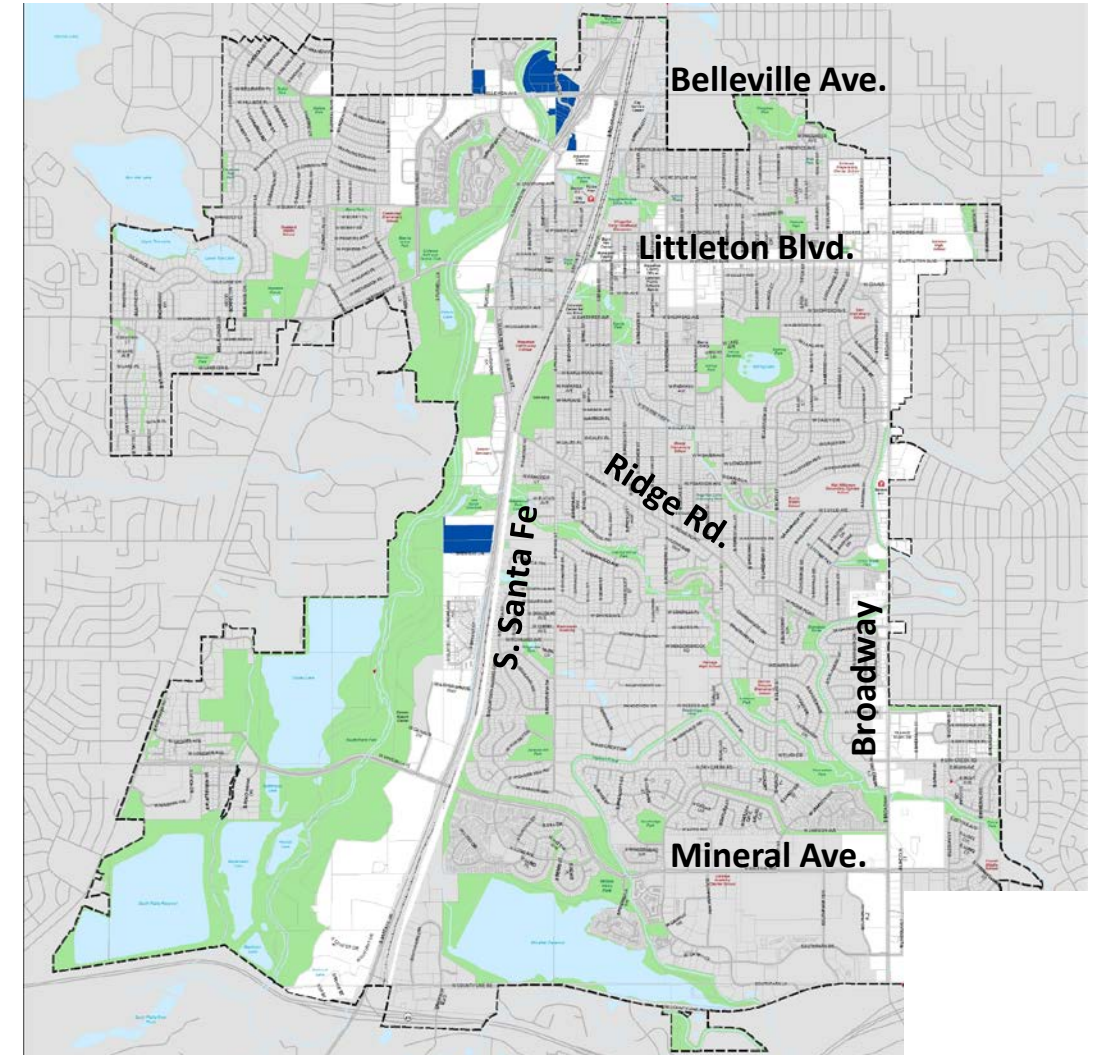
- Purpose: Retail and personal services
- Standards:
 - 2.0 floor area ratio
 - No height limit *
 - Minimum lot area - none
 - 20% open space *
 - Setbacks – none *
- Land Uses
 - Amusement
 - Animal treatment and boarding *
 - Automotive sales/service, new only *
 - Bars and taverns
 - Health club
 - Hotels/Motels
 - Institutions
 - Retail/Wholesale Merchandise
 - Motor vehicle uses *
 - Offices
 - Restaurants, all types
 - Theaters



Zoning | CM, Corridor Mixed

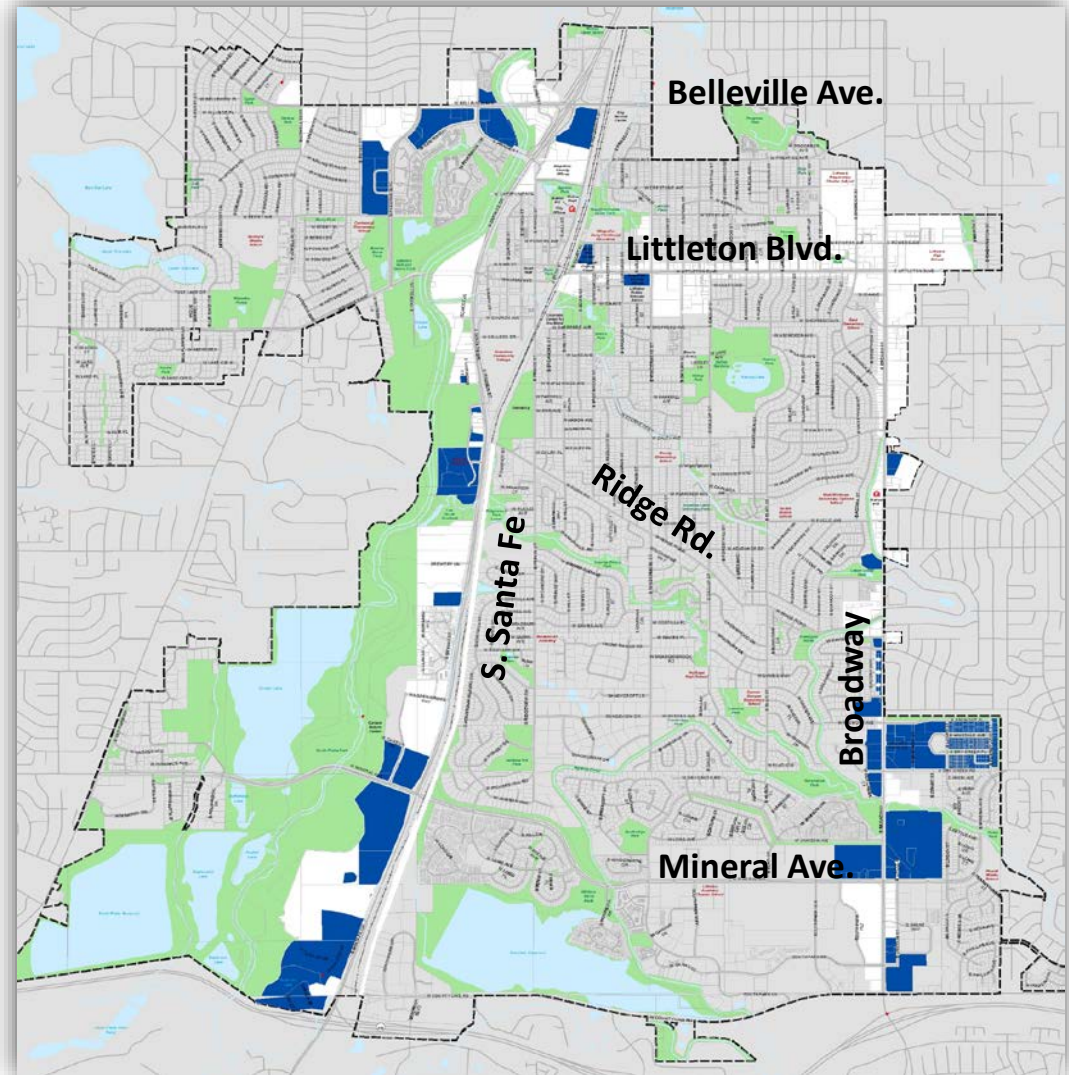
- **B-3, General Business**

- Purpose: Retail and personal services
- Standards:
 - 3.0 floor area ratio (vs. 2.0 in B-2)
 - No height limit
 - Minimum lot area - none
 - 10% open space (vs 20% in B-2)
 - Setbacks - none
- Land Uses (mostly identical to B-2)
 - Amusement
 - Animal treatment and boarding
 - Automotive sales/service, new and used
 - Bars, taverns, and nightclubs
 - Health club
 - Hotels/Motels
 - Institutions
 - Retail/Wholesale Merchandise
 - Motor vehicle uses
 - Offices
 - Outdoor storage *
 - Restaurants, all types
 - Theaters



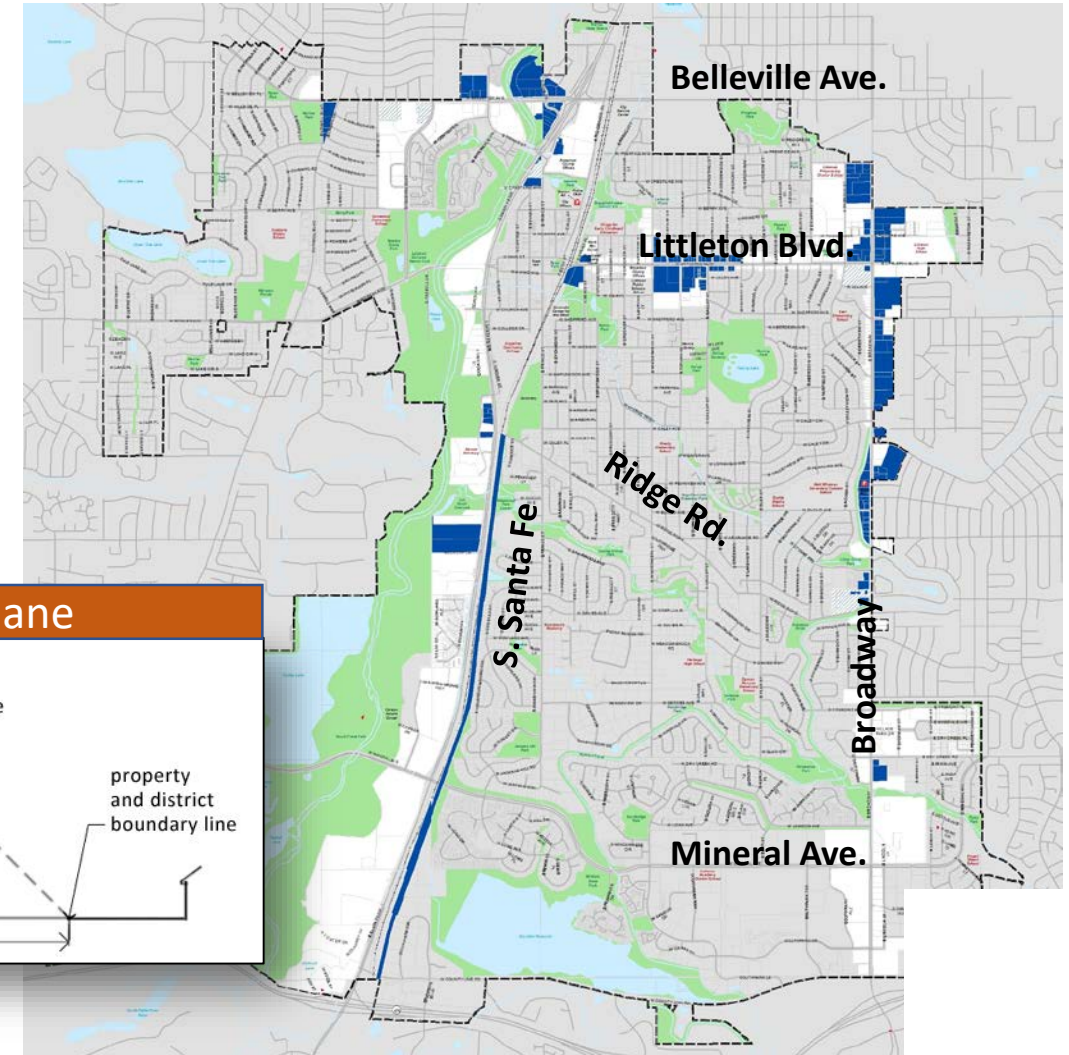
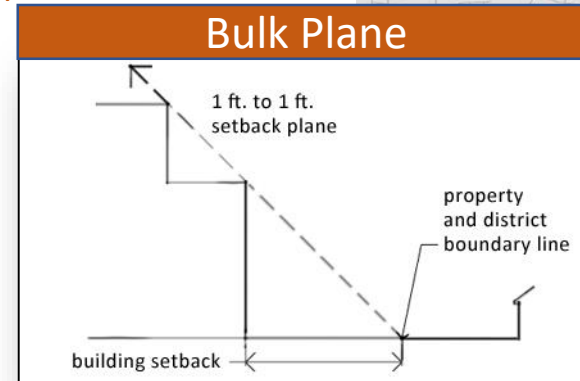
Zoning | Planned Development

- **Planned Development**
 - Modification and Termination
 - PDs continue under plans for a reasonable period of time
 - Establish process to amend or terminate
 - Establish sunset provisions
 - PD Overlay
 - Superimposed for underlying districts
 - Carries through PD standards in addition to those of the ULUC
 - Uses as established in the plan
 - Major amendments to PD plan no longer allowed; instead, processed as a master development plan consistent with underlying zoning
 - May impose conditions to preserve negotiated conditions



Zoning | CM, Corridor Mixed

- **CM, Corridor Mixed**
 - Consolidate: B-2, B-3, PD-R and PD-C
 - Standards:
 - 3.0 floor area ratio (vs. 2.0 in B-2)
 - No height limit (based on bulk plane)
 - Minimum lot area - none
 - 10% open space (vs 20% in B-2)
 - Setbacks (based on frontage/building types)
 - Land Uses (apply use standards, where applicable)
 - Amusement *
 - Animal treatment and boarding *
 - Automotive sales/service, new and used *
 - Bars, taverns, and nightclubs
 - Health club
 - Hotels/Motels
 - Institutions
 - Retail/Wholesale Merchandise
 - Motor vehicle uses
 - Offices
 - Outdoor storage *
 - Restaurants, all types
 - Theaters



Poll | Industrial

- **How should industrially zoned land within the Corridor Mixed Use boundary be handled?**
 - Desire to rezone industrial land in CMU, as applicable
 - Heighten the site and building design standards
- **What is the greatest concern with the location of industrial districts within the CMU area?**
 - Desire for improved standards to improve appearance of industrial uses
 - Priority to impose industrial performance standards
- **What is the most important regulation for best managing industrial uses?**
 - Highest priority in industrial performance standards followed by bufferyard standards

Sharing Poll Results

Attendees are now viewing the poll results

1. How should industrially zoned land within the Corridor Mixed Use boundary be handled?

Continue the current land uses with stringent requirements for buffering, transition, and environmental performance standards. (14) 34%

Rezone them to a more appropriate district encouraging the use to change over time. (24) 59%

I don't know or don't have an opinion. (3) 7%

2. What concerns are there with the location of industrial districts and uses within the CMU area?

Poor appearance along highly visible corridors. (11) 27%

Impacts on the environment relative to water and air quality, light, noise, etc. (9) 22%

Impacts on adjacent and nearby properties. (2) 5%

Lack of current zoning standards that may allow inappropriate or unsightly uses. (19) 46%

3. What is the most important regulation for best managing industrial uses?

Environmental performance standards. (22) 54%

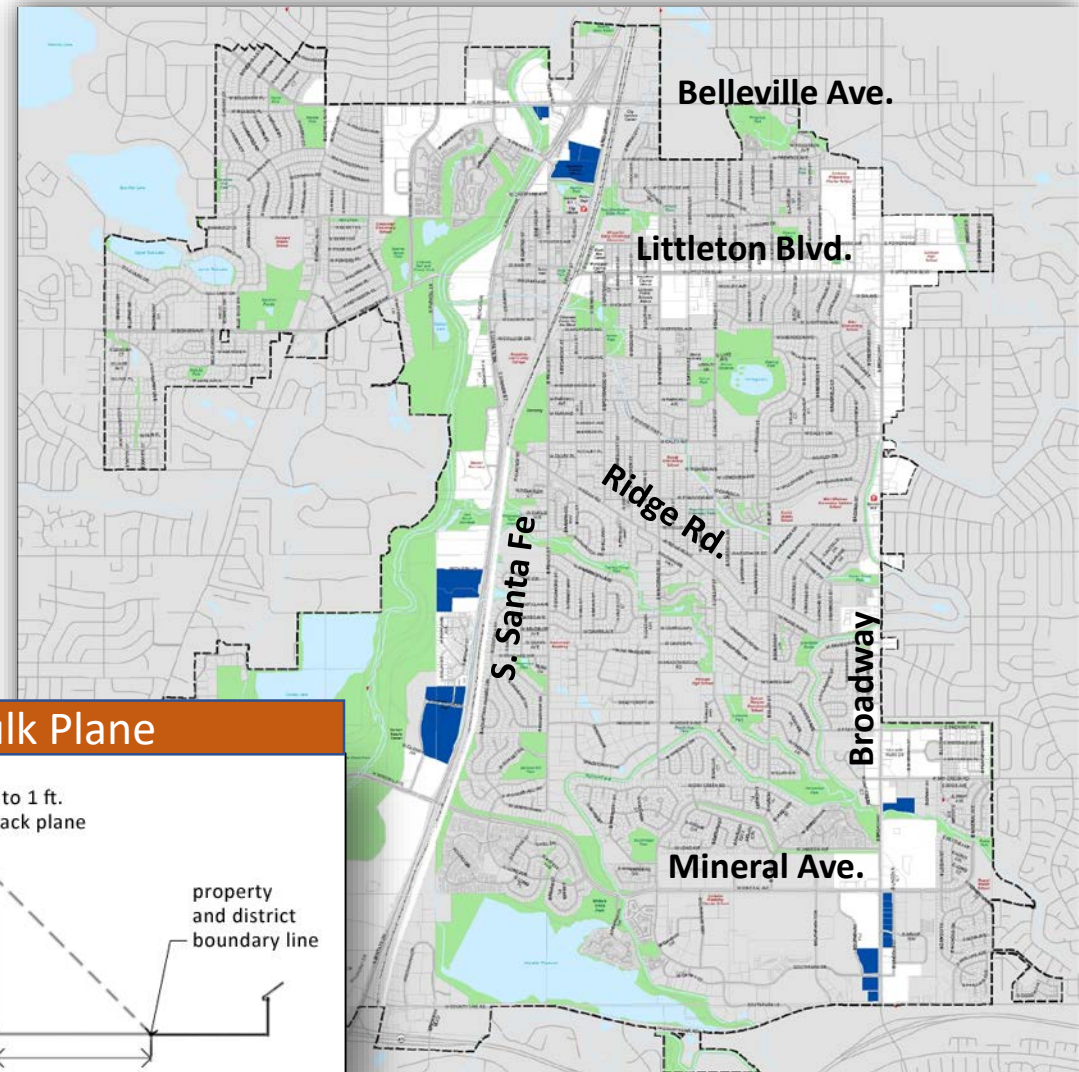
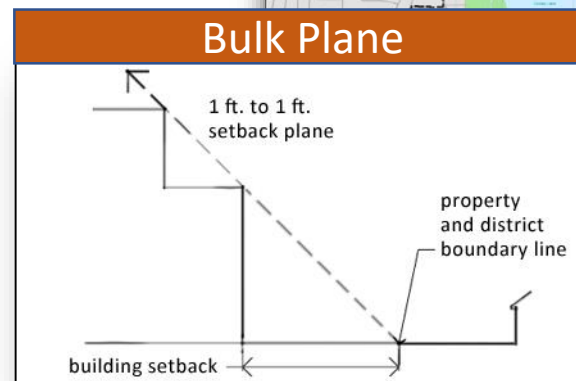
Rezoning these parcels to another more appropriate district. (5) 12%

Creating bufferyard standards proportional to the level of impact. (12) 29%

No additional regulations or standards are needed. (2) 5%

Zoning | Industrial

- I-1, Light and I-2, Heavy Industrial
 - 3.0 floor area ratio } use bulk plane
 - No height limit
 - Minimum lot area - none
 - Open space
 - I-1 – ~~10%~~ 15%
 - I-2 - 25' buffer along residential property
 - Dense layering of deciduous/evergreen trees, large and small shrubs, and fencing
 - Environmental standards, e.g. light, noise, etc.
 - Setbacks
 - 25' adjacent to non-industrial district *
 - 50' front/corner/rear
 - 25' side
 - None adjacent to industrial district
 - 35' front/corner/rear
 - 20' side
 - Land Uses (mostly identical) *
 - Animal boarding
 - Manufacturing
 - Offices
 - Wholesale



Zoning | Proposed Districts

Future Land Use and Character Plan: Commercial Mixed Use

New District	Existing District(s)	Notes
SC, Suburban Commercial	T, B-1	<ul style="list-style-type: none"> • Transitions single-family neighborhoods • Retain conforming single-family • Limited uses, scale, and height • Apply residential frontage types
CM, Corridor Mixed	B-2, B-3 PD-R, PD-C	<ul style="list-style-type: none"> • Allowance for mixed use; horizontal or vertical • Applies to single use sites and multi-tenant centers • Master Development Plan required (in lieu of PD) • Along major corridors distant from single-family residential
PD, Planned Development	PD-R, PD-C	<ul style="list-style-type: none"> • ALTERNATE
PI, Public and Institutional	CEM	<ul style="list-style-type: none"> • Public and semi-public uses • Owned and operated by government or non-profits

Design | Frontage Types

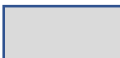


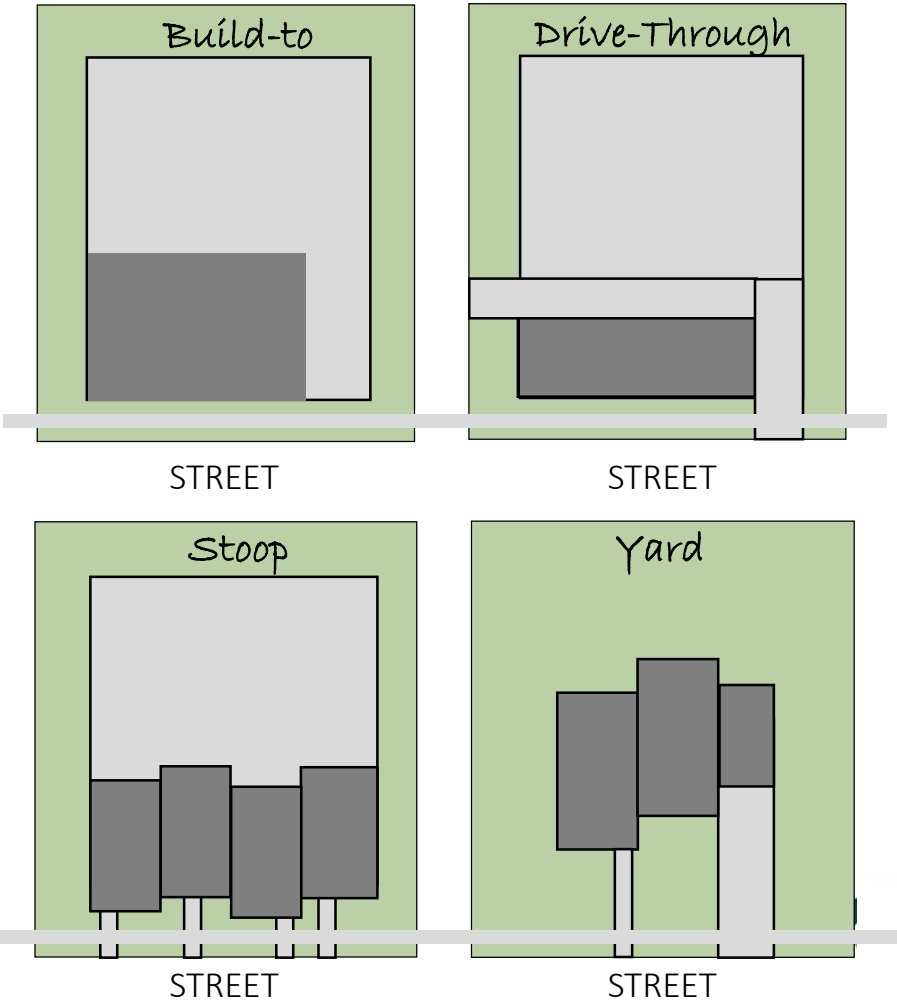
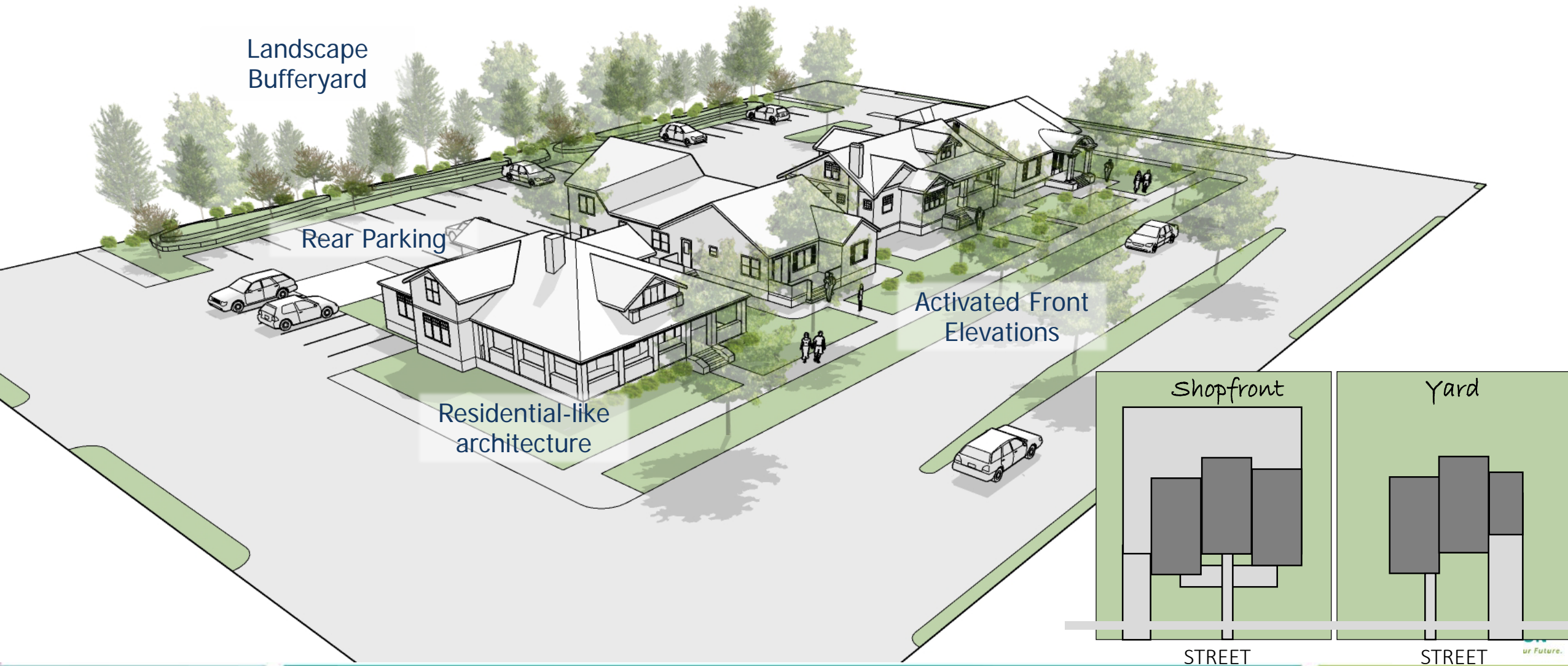
-  Parking
-  Building Footprint
-  Yard, setback, pervious area

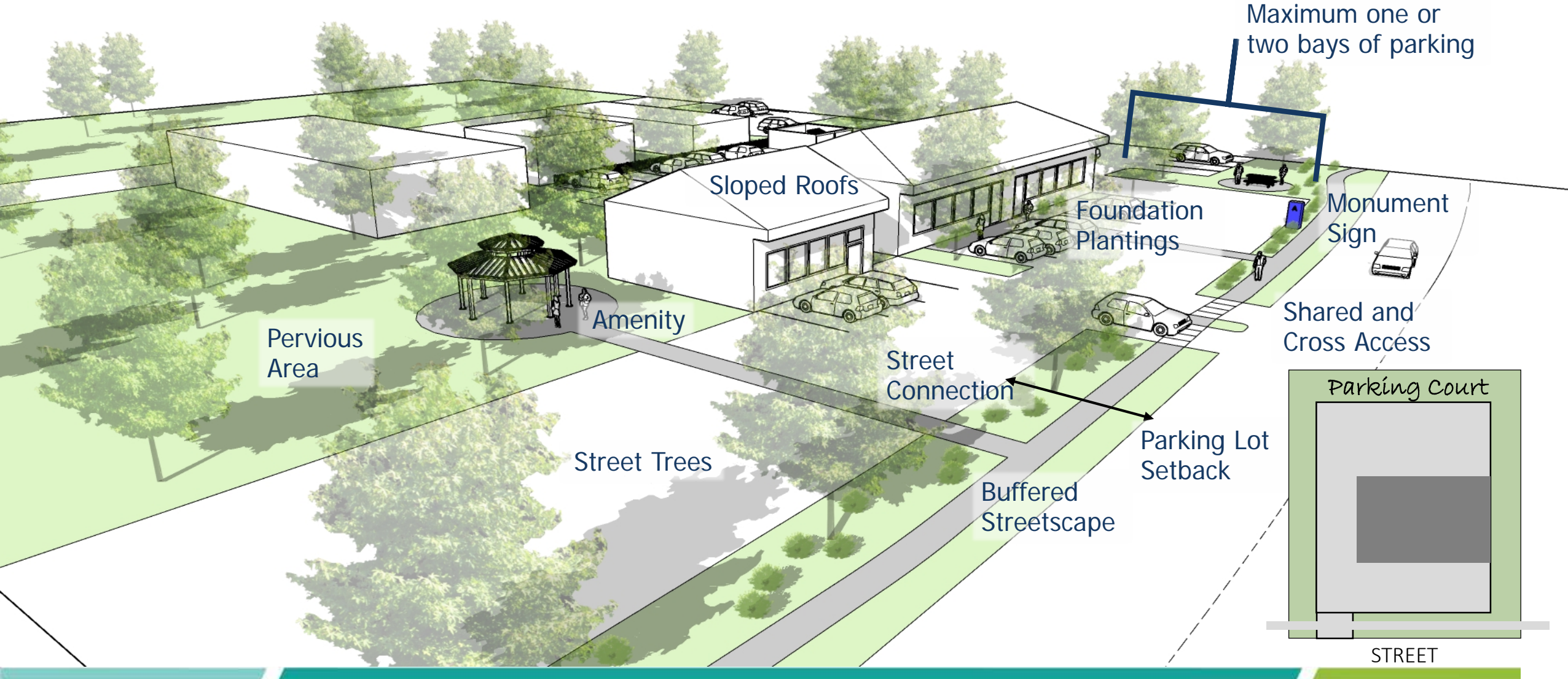
Table 10-3-3.1-1 Permitted Nonresidential /Mixed Use Frontage Types			
Frontage Type	Commercial Mixed Use (CMU)		
	SC, Suburban Commercial	CM, Commercial Mixed	Public and Institutional (PI)
Build-to ¹	--	P	P
Drive-Through ²	--	P	P
Green ³	--	P	P
Parking Court ⁴	P	P	P
Shopfront ⁵	P	P	P
Stoop ⁶	--	P	P
Yard ⁷	P	--	--



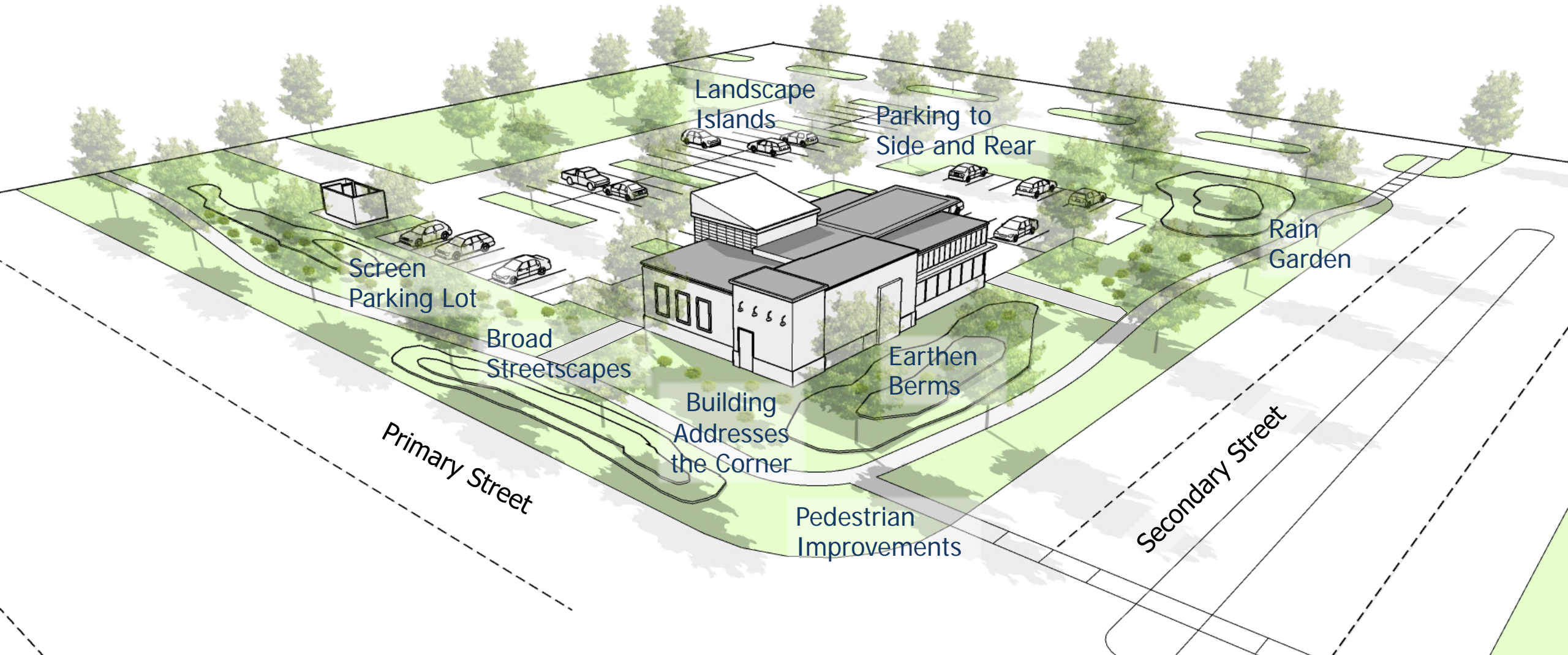
Frontage Types | Shopfront, Yard



Frontage Types | Parking Court



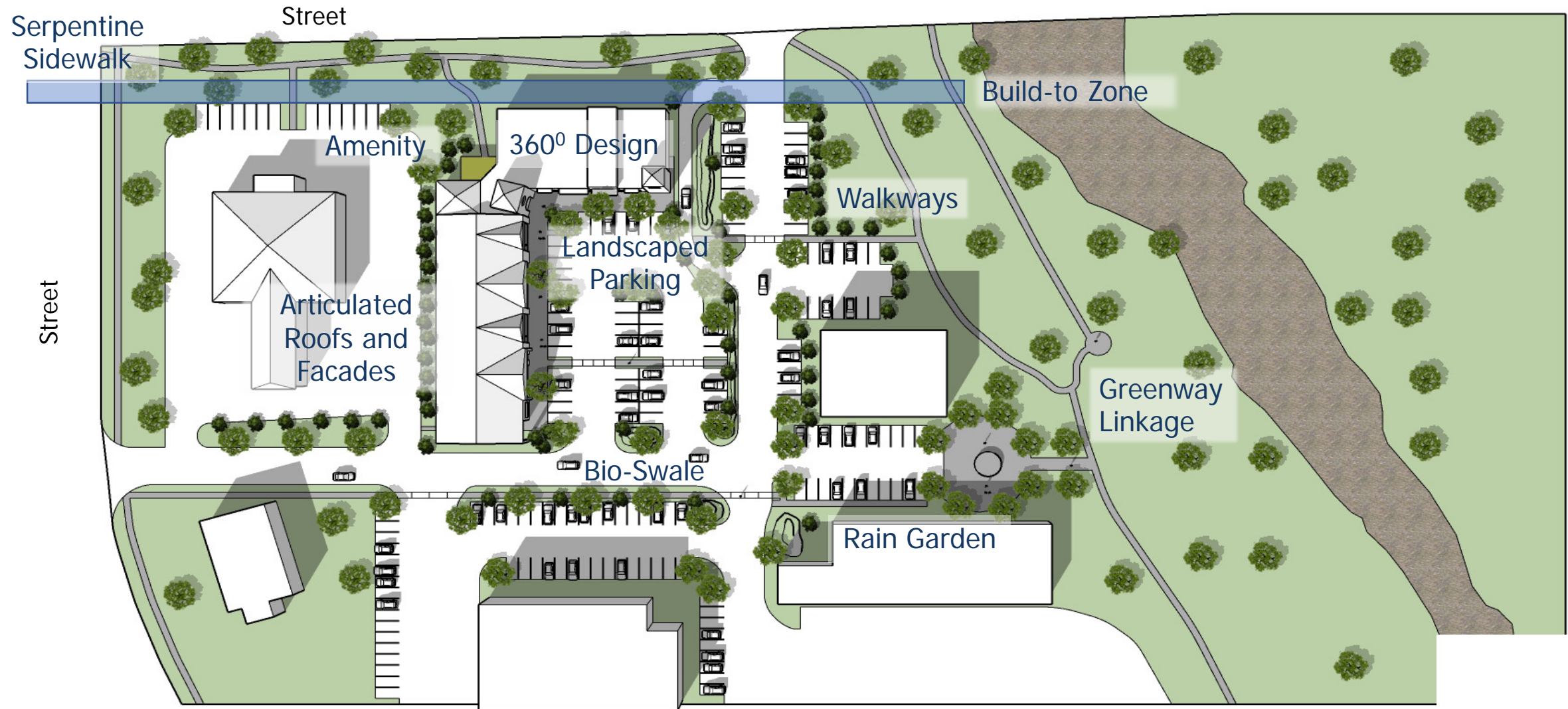
Frontage Types | Green



Frontage | Drive-Through



Frontage Types | Build-to



Frontage Types | Mixed Use



Zoning | “Carry-Over” Issues

• Sustainability

– Menu of Practices

- Energy conservation
 - Solar orientation, access protection, and panels
 - Energy efficiency
 - Tankless water heater(s)
 - Skylights
 - Roof eaves
 - Shade features
- LEED certification
 - Principal structure constructed as LEED Platinum, Gold, Silver (minimum) or Bronze
- Water conservation and quality protection
 - Rainwater collection
 - Rainwater reuse (cisterns, barrels, storage basins)
 - Underground parking
 - On-site transit facilities
 - Showering and dressing facilities
 - Recycling stations

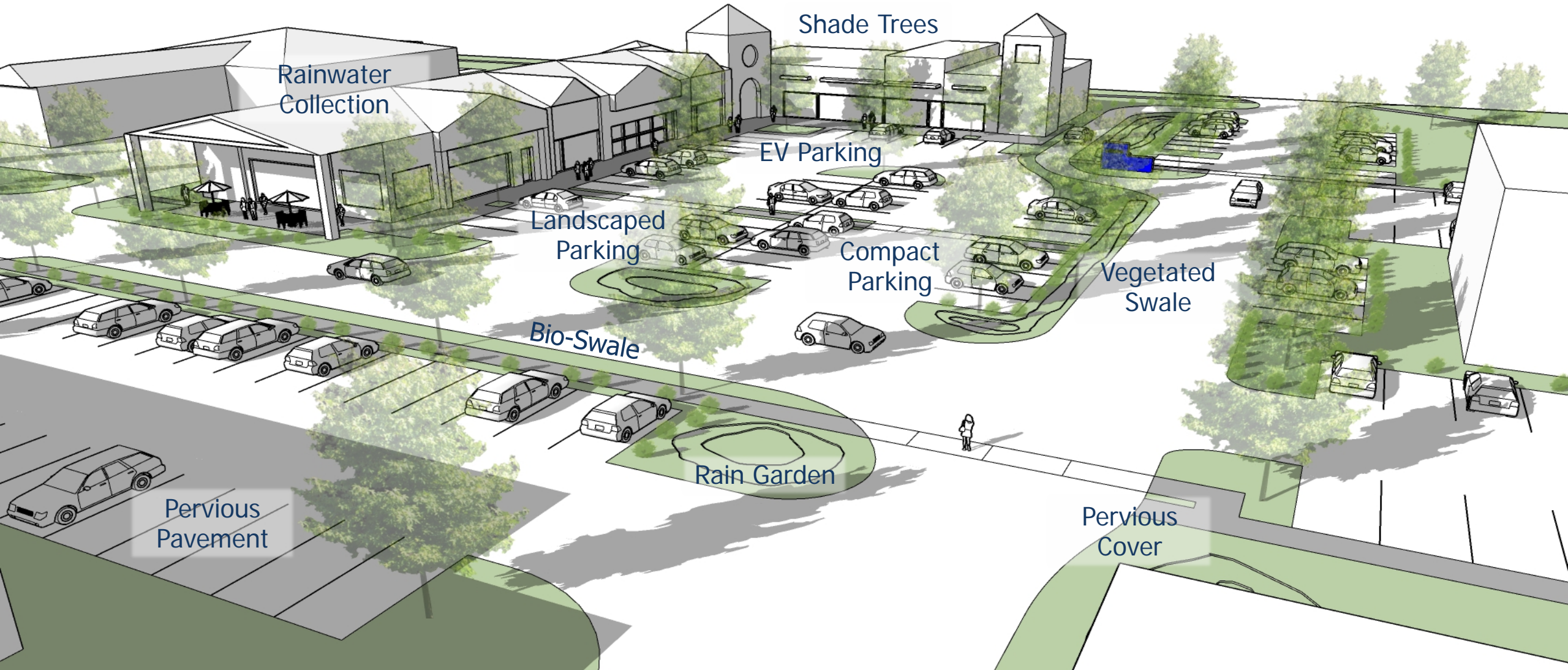
– Compliance determination by Director

– Authorized by City Council

**Table 10-1-3.3-1
Sustainability Incentives**

Incentive Type	Minimum Number of Practices Provided (refer to Table 10-1-3.3-2)	
	Schedule A	Schedule B
A density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the applicable district, provided adherence to the provisions of this Code for transitioning and buffering	2	4
An increase in the maximum allowable height by up to one story or 10 feet beyond the maximum allowed in the GB, General Business, or MU, Mixed Use, districts, subject to approval of the Fire Marshal and all other applicable compatibility provisions of this Code	2	3
An increase in the maximum allowable lot coverage by 10 percent beyond the maximum allowed in the GB, General Business, or MU, Mixed Use, districts	2	3
A modification to the off-street parking requirements resulting in a reduction from the minimum requirements by 15 percent, or an increase to the maximum allowable number of spaces provided by 15 percent	2	2
An increase in the maximum allowable sign area or maximum height for wall or freestanding signs by 10 percent	1	3
A reduction in the amount of required open space set-aside by 10 percent	1	2

Carry-Over | Sustainability



Carry-Over | Sustainability



Carry-Over | Greenscaping

Landscaping

- Canopy Coverage
 - Credit available for existing trees
 - Double credit for specimen and historic trees
 - Waivers available subject to criteria
- Tree Preservation and Protection
 - Requirements based on frontage type
 - Standards include:
 - Street trees
 - Foundation plantings
 - Screening
 - Landscaping
 - Bufferyard
- Planting Requirements
 - Plant variety
 - Minimum caliper, height or gallon
 - Planting locations
 - Right-of-way
 - Site distance triangle
 - Easements
 - Fire safety
 - Spacing
 - Plant substitutions

Table 10-3-4.5-2 Canopy Coverage Requirements by District	
District	Minimum Tree Canopy Coverage
SC, Suburban Commercial	25%
CM, Corridor Mixed	20%
PI, Public and Institutional	15%

Table 10-3-4.4-1 Minimum Landscape Planting Requirements				
Frontage Type	Streetscape	Parking	Site	District Bufferyard(s)
Build-To	<u>Street Trees</u> : 1 large or 2 coniferous trees per 25' linear frontage. <u>Foundation Plantings</u> : Shrubs and grasses along 100% of building frontage(s).	<u>Screening</u> : Shrubs and grasses along 75% / 50% of parking lot, plus 1 large deciduous or 2 coniferous trees per 25' / 35' linear frontage along a street, adjacent drive or parking lot. <u>Landscaping</u> : Landscape islands encompass 3.5% of parking surface, each with 1 large tree and shrubs or groundcover.	<u>Pervious Area</u> : 1 large tree per 1,000 sf.	
Green	<u>Street Trees</u> : None. <u>Foundation Plantings</u> : Shrubs and grasses along 50% of building frontage(s), plus 1 ornamental tree per 15' linear frontage.	<u>Screening</u> : Shrubs and grasses along 65% / 50% of parking lot, plus 1 large deciduous or 2 coniferous trees per 25' / 35' linear frontage. <u>Interior</u> : Landscape islands encompass 3.5% (approx. 1/15 parking spaces) of parking surface, each with 1 large tree and shrubs or groundcover.	<u>Pervious Area</u> : 1 large tree per 500 sf.	

Excerpt

Carry-Over | Parking

• Parking

— Standards

- Minimum, maximum, and transit shed
- Shared parking
- Special parking study
- Valet and tandem

— Design

- Compact car parking
- Electric and alternative fuels
- Large parking lots
- Structured parking design
- Drive-through design
- Stacking

— Parking Surface and Maintenance

- Pervious parking
- Alternative materials
- Storage prohibited

Table 10-1-3.5.A-1 Required Off-Street Parking			
Specific Use	Minimum	Maximum	Transit Shed
Residential			
Household Living			
Apartment	1 / studio BR 1.5 / single and two BR 2 / three BR	1.5 / studio BR 2 / single and two BR 2.5 / three BR	0.75 / studio BR 1 / single and two BR 1.5 / three BR
Dwelling, Single-Family Attached / Duplex	2 / DU	2 / DU	2 / DU
Dwelling, Single-Family, Detached	2 / DU	2 / DU	2 / DU
Live-Work	2 / DU	2 / DU	2 / DU
Multiplex (3-6 units)	1.5 / DU	2 / DU	1 / DU
Slot Home	--	--	--
Townhome	1.5 / studio BR 2 / single and two BR 2.5 / three BR	1.5 / studio BR 2 / single and two BR 2.5 / three BR	1 / studio BR 1.5 / single and two BR 2 / three BR
Mixed Use Building (upper floor residential units)	See Paragraph B, Shared Parking		
Group Living			
Foster Family Care Home	2 / DU	2 / DU	2 / DU
Group Home for Persons with Disabilities	2 / DU	2 / DU	2 / DU
Group Home for the Elderly	2 / DU	2 / DU	2 / DU
Independent Living Facility	0.75 / studio BR 1 / single and two BR 1.5 / three BR	0.75 / studio BR 1 / single and two BR 1.5 / three BR	0.75 / studio BR 1 / single and two BR 1.5 / three BR
Nursing Home / Assisted Living	1 / 2 beds	1 / 2 beds	1 / 2 beds

UNIFIED LAND USE CODE

Corridor / Mixed Use
Council Briefing
01.12.21



KENDIG KEAST
COLLABORATIVE



Staff Communication

File #: ID# 21-011, **Version:** 1

Agenda Date: 01/12/2021

Subject:

Short-Term Rental Update and 2021 Strategy

Prepared By: Jennifer Henninger, Community Development Director and Reid Betzing, City Attorney

PURPOSE:

Confirm staff has a complete list of issues and questions that council wishes to be addressed for a process that runs parallel to the ULUC, and for staff to walk through the STR strategy for 2021. The issues and questions are noted within the presentation and were provided to the city after the November 2020 council adoption of business license regulations for Short Term Rentals (STRs).

PRESENTATIONS:

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

Additional Presenter(s): N/A

SUMMARY:

Since the adoption of Ordinance 41-2020 adding Chapter 23, entitled Short Term Rentals, to Title 3 Business Regulations there have been items brought forth to staff regarding additional STR regulations. Many of the items have already been addressed in the recently adopted business regulations, however there are others that will be addressed in the upcoming Unified Land Use Code (ULUC) slated for adoption in October. Staff has created a list of STR related items to be addressed over the coming year for Council to confirm.

PRIOR ACTIONS OR DISCUSSIONS:

Since January of 2019, a citizen group has met and provided several different ideas that could be addressed in future STR regulations. Among the items addressed by the citizen group was that owner occupied STRs be treated differently than those STRs that are not occupied by a property owner.

At Council's February 2020 workshop, a request was made to evaluate what actions could be taken on STR regulations prior to the formal adoption of the ULUC. In July of 2020, staff proposed a phased approach to STRs that included creation of a Good Neighbor Handout for owners, users, and neighbors of STRs and drafting new STR business license regulations. In November, City Council adopted new STR business license regulations and the Good Neighbor Handout is now being provided to STR applicants. Since the adoption of the STR business license regulations, staff has created a checklist for applicants to conduct an initial premises and compliance safety check, created a more detailed business license application for STRs and is currently working on digitizing the application so it can be submitted and paid for, completely online. Staff has also received several emails and calls regarding the recently adopted regulations requesting consideration of additional regulations. The City's ULUC consultant, KKC, has started to integrate these comments into the

working draft of the ULUC.

ANALYSIS:

The City currently has 47 registered STRs. This represents less than one percent of the housing stock in Littleton. The STR business license ordinance was an initial effort towards regulating STRs in the City of Littleton as policy direction unfolds through the ULUC process. Staff created a handout outlining the new requirements of the recently adopted Title 3 Business License Regulations and it is attached for your review.

Items for further consideration

Since adoption of the business license regulations, staff received feedback and questions from Council, the STR coalition, and members of the community related to STRs. Many of the questions and comments were addressed in the adopted licensing regulations. Others related to how the city regulations will address allowed use and location of STRs. These will be addressed in the ULUC. Each of the questions and comments received are summarized in the staff presentation.

Council Goal, Objective, and/or Guiding Principle

STR Regulations are part of Goal 1: Envision Littleton - Quality Community, Objective 1: Unified Land Use Code and Objective 2: Additional Code Enhancements.

Fiscal Impacts

Per the recently adopted business license regulations, there is now a \$200 application fee as well as a \$200 annual license renewal fee. The staff time associated with creating new STR regulations as well as implementation and enforcement of the new regulations and potential future regulations substantially exceed the fees for STRs. Additional regulations may necessitate the hiring of additional staff to administer.

Alternatives

N/A

STAFF RECOMMENDATION:

Confirm that staff has a complete list of feedback and questions. Address items in the ULUC and then, if necessary, modifications to the business license regulations in the fall of this year.

Short-Term Rental License Ordinance -Frequently Asked Questions (FAQ)

The Short-Term Rental Ordinance 41-2020 was adopted by City Council on November 17, 2020 to promote the health, safety, and welfare of the public.

WHAT DOES THE ORDINANCE REQUIRE?

- Short-Term Rental properties must be licensed with the city of Littleton.
- Properties must be inspected and be in compliance with city codes at all times.
- Limit on number of occupants.
- Restrictions on where short-term rentals can be.
- Off street parking spaces must be maintained on the property.
- Owners must contact all surrounding neighbors to share information and provide the Good Neighbor Letter.
- Owners must ensure the renters are following Good Neighbor Guidelines at all times.

HOW IS THE LICENSE APPLIED FOR AND IS THERE A FEE?

The Business Sales/Use Tax License application is available online and there is a \$200.00 fee. All owners of the property must sign the application.

HOW LONG IS THE LICENSE VALID AND CAN IT BE REVOKED?

The license is valid for one year and must be reapplied for in the first quarter of each year. The license can be revoked or suspended for violation of city code or verified complaints pertaining to the operation of the short-term rental.

ARE THERE DIFFERENT TYPES OF SHORT-TERM RENTAL LICENSES?

There are two types of licenses depending on the use of the property; a Short-Term Primary Rental License (owner occupied) and a Short-Term-Non Primary Rental License (the owner does not reside at the property).

WHAT HAPPENS IF A LICENSE HAS NOT BEEN OBTAINED?

The short-term rental cannot be operated without a license. The city may institute any appropriate legal action or proceedings for injunctive or other relief to compel compliance with the requirements of this ordinance. These proceedings may include a summons to appear in Littleton Municipal Court.

WHY IS A PROPERTY INSPECTION REQUIRED?

The property owner is required to inspect the property to ensure code compliance and safety for the public. The owner shall use the inspection form provided by the city and submit the completed, signed form for review and approval. The city may inspect the property to verify compliance and if the inspection is refused the license will be denied.

HOW MANY RENTERS CAN OCCUPY THE DWELLING?

The maximum number of occupants in the dwelling is eight (8), with a maximum of two (2) per bedroom.

ARE SHORT-TERM RENTALS EVER PROHIBITED?

Short-term rentals are not allowed in accessory dwelling units, temporary structures, or recreational vehicles. Neighborhoods with homeowner's associations may have covenants that prohibit short-term rentals.

HOW MANY OFF-STREET PARKING SPACES ARE REQUIRED?

The rental property must have two (2) off street parking spaces that are properly surfaced in accordance with city code. This information is required to be listed in any advertisement or listing.

WHAT IS THE GOOD NEIGHBOR HANDOUT LETTER AND GUIDELINES?

The owner is required to contact all close by neighbors to give out the Good Neighbor handout letter, which identifies the short-term rental and includes owner contact information. The Good Neighbor Guideline document is for occupants and provides emergency contact information as well as rules and guidelines to be a good neighbor. The document is required to be posted inside the house next to the main entry.



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Short-Term Rental Inspection Checklist (owner to initial each line)

Property Owner Name _____

Short-Term Rental Address _____

Date Inspection Completed by Owner _____

General Information Acknowledgement

- _____ The tenants will be provided a parking diagram verifying the location of all parking spaces available for the short-term rental and the diagram will be posted in a prominent location in the short-term rental. The designated parking spaces will be available for use by tenants.
- _____ Operation of the short-term rental will comply with Good Neighbor Guidelines and the Good Neighbor Guidelines will be provided to tenants in the rental agreement and by posting adjacent to the front door in the short-term rental.
- _____ The approved license for the short-term rental will be posted in a prominent location within the short-term rental.
- _____ I have read and understand City of Littleton Municipal Code regulating Short-Term Rental Units (Title 3, Chapter 23).
- _____ All exterior and interior areas of the property shall have ongoing maintenance to ensure the property is maintained sanitary and in good condition; all structures shall be maintained in good repair.

Exterior Safety and Maintenance (Littleton Municipal Code, 2012 IPMC)

- _____ Address numbers are visible from the street
- _____ Deck and stair rails and guards are properly attached and capable of supporting imposed loads
- _____ Stairs, walkways, and exits are unobstructed and shall always be maintained unobstructed

- ___ Trash containers with tight fitting lids are provided and are stored on the side or back of house
- ___ All exterior areas of the property are in good condition and all structures are in good repair (the property shall be maintained in good condition and good repair)
- ___ Window wells serving basement sleeping rooms be provided with escape ladders and operable windows so as to allow for secondary egress from the room in the event of a fire. (2015 IFC 1030.1)

Interior Safety and Maintenance

- ___ ABC 2.5 lb. fire extinguisher is in plain view within 6 feet of the oven/stove if gas appliances are installed and must be certified annually.
- ___ Smoke alarms are installed in each sleeping room and immediately outside each sleeping room such as in a corridor, hallway or great room serving the individual sleeping rooms
- ___ Carbon monoxide detector are installed within 15 feet of sleeping rooms
- ___ Stairs, walkways, and exits are free of tripping hazards, are unobstructed, and shall always be maintained unobstructed
- ___ Bathroom has a toilet, sink, and shower or bathtub and is clean and sanitary
- ___ Bathroom and kitchen electrical outlets are be GFCI protected
- ___ Electrical system is in good repair, including electrical panel, receptacle outlets, switches and lighting fixtures are in good repair, without exposed wiring, and without extension cords or electrical strips
- ___ Check completed for general fire hazards: exposed wiring, presence of extension cords on, clean dryer vents
- ___ Mechanical systems (vent fans, heating, cooling, and water heater) are operable and in good repair
- ___ All areas of the interior are sanitary and in good condition and maintained in good repair
- ___ Building permits and final inspections have been completed for all work requiring permits

I hereby certify that I inspected the property and completed this form, the items initialed above were checked and were found to be in compliance with the code.

Owner (Print): _____ Owner (Sign): _____



Short-Term Rental 2021 Strategy

City Council Study Session - January 12, 2021

Reid Betzing, City Attorney

Jennifer Henninger, Community Development Director

Agenda

- Overview of recently adopted licensing regulations
- Review of feedback/questions received on STRs
- Focus items for the ULUC
- Timeline for STR strategy in 2021
- Council confirmation of strategy and timeline

Newly Adopted Licensing Regulations

- Definitions for short-term primary and short-term non-primary
- Requires specific license
- Application and annual renewal (\$200 by annually adopted fee schedule)
- Parking requirements
- Maximum occupancy (8 people)
- Confirmation of safety
- Grounds for denial and revocation
- Created Good neighbor handout and letter

Review of Feedback and Questions

Addressed with Licensing Provisions:

- ✓ Licensing: Short term rental license – no other licenses needed
- ✓ Annual renewal – not two year or multiple year
- ✓ Limitation of licenses per applicant – none
- ✓ Special events / additional guests – not allowed
- ✓ Limitation of the total number of licenses given – none
- ✓ Residency requirement for applicants – primary: yes, non-primary: no
- ✓ Definition short-term primary – no additional clarifications planned
- ✓ Additional notification to surrounding property owners – no changes planned
- ✓ Existing license holders (grandfathering): existing license holders will be notified of legal interpretation
- ✓ Licenses shall not be transferred to new owners
- ✓ Inspections: self-inspected with ability for city inspection upon complaint
- ✓ Enforcement: complaint based
- ✓ Penalties: up to 1 year in jail / \$2,650 per day in violation

Review of Feedback and Questions *cont.*

To be addressed with ULUC:

- What zone district should STRs be allowed/prohibited or a building type
- Owner occupied in residential zones
- Limit location of non-owner occupied STRs to commercial areas and downtown
- Number of STRs per block unless possible waiver (CUP?)
- Is it considered an overnight accommodation or home occupation
- Non-conforming STR consideration
- Allow STRs in ADUs
- Definition clarification between STR and ADU
- Legal non-conforming uses

Focus Items for the ULUC

Establishes what type of use primary and non-primary STRs are

- accessory
- primary
- conditional

Regulates where STRs are appropriate

- what zone district should STRs be allowed/prohibited or a building type?
- Owner occupied in residential zones
- Limit location of non-owner occupied STRs to commercial areas and downtown
- Number of STRs per block unless possible waiver (CUP?)

Addresses ancillary issues associated with STRs

- Accessory structures
- Accessory dwelling units

Addresses non-conformities and appeals / variances

2021 STR Strategy Timeline

- ☐ Jan 12, 2021-study session on STR strategy for 2021
 - Confirm list of questions and remaining concerns relative to STRs since business license adoption
- ☐ Jan – March 2021 – convert application process from BLAST to TRAKiT9 and fully implement new licensing regulations
- ☐ Jan-May 2021-Development of STR land use and location via the ULUC
 - Draft language vetted through public outreach associated with ULUC
- ☐ October 2021-adoption of ULUC
- ☐ Prior to November 2021- If needed, Council action on business license modifications

All STR regulatory issues resolved with this council

Council Confirmation of Strategy

- Confirm questions/feedback staff has received since adoption of business license regulations.
- Proceed with land use items related to STR in the ULUC process according to timeline
- Any additional business licensing modifications in the 3rd quarter of 2021 – study sessions may be necessary