



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Agenda

City Council

Tuesday, July 12, 2016

6:30 PM

Community Room

Study Session

1. Study Session Topics

- a) **ID# 16-144** Discussion regarding proposed amendments to the B-2 Zone District and associated timeline for said updates.

Attachments: B-2_Zoning District map
B-2 Regulations
10-4-12 Residential Occupancy in Nonresidential Districts
Conditional Use Chapter 8
Notice Requirements 10-1-9

- b) **ID# 16-131** Discussion of Five-Year Capital Plan

Attachments: Capital 15-year for June 2016

- c) **ID# 16-148** Discussion of Council Standards of Conduct and Protocols re: Email Use

Attachments: Council Protocols 2016

- d) **ID# 16-150** Discussion with Mark Relph for the acting city manager role

2. Adjournment

The public is invited to attend all regular meetings or study sessions of the City Council or any City Board or Commission. Please call 303-795-3780 at least forty-eight (48) hours prior to the meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting. For any additional information concerning City meetings, please call the above referenced number.



Staff Communication

File #: ID# 16-144, **Version:** 2

Agenda Date: 07/12/2016

Subject:

Discussion regarding proposed amendments to the B-2 Zone District and associated timeline for said updates.

Presented By: Jocelyn Mills, Community Development Director

OVERVIEW:

Study session with city council regarding proposed amendments to the B-2 Zone District and associated timeline for said updates.

BACKGROUND:

On June 14, 2016 city council passed a 90-day moratorium on any development application being submitted within the B-2 Zone District. On June 28, 2016 a joint study session was held with planning board and city council to discuss potential amendments to the B-2 Zone District.

PROPOSED AMENDMENTS: Based on the joint study session on June 28, 2016 with city council and planning board, and upon further staff contemplation, staff is suggesting simple and straightforward approach to update the B-2 Zone District. The following outlines the proposed amendments regarding residential use. The other items for discussion are B-2 lot requirements: floor area ratio (which generally determines the layout and height of a building based on the size of the lot) and usable open space (which provides for buildings to be setback from property lines).

Additionally, staff is recommending written public notice be provided for all development applications that come before planning board and/or city council.

Please note, staff has discussed the below with legal counsel for their initial input. Once we have final direction from Council on proposed changes, legal will review the specific changes to ensure there are no issues with any takings or other violations to private property rights.

Residential Uses:

Uses in B-2 are predominately commercial in nature. There is a provision in the B-2 Zone District that allows for residential uses if certain criteria are met. Residential uses in B-2 do appear to have the potential to alter scale, mass and context of the adjacent neighborhood.

In Littleton's zoning code, when certain uses have the potential to have a greater impact to the surrounding properties, these uses are considered "conditional." Conditional uses may be allowed in a particular zone district upon further review by the planning board, when certain conditions are met, such as size and intensity.

Chapter 8 of the Littleton Zoning Code references Conditional Uses. Section 10-3-2 is the city's land use table, which identifies what uses are allowed in each zone district. Section 10-8-2, outlines conditions that must be

met for uses considered as conditional in zone districts throughout the city.

Per Section 10-40-12, residential units may be permitted in the B-2 Zone District and the B-1 Zone District if certain conditions have been met. Staff suggests that council consider relocating these existing provisions for residential occupancy in B-2 from Section 10-4-12 (Supplementary Standards) into the conditional use chapter of the zoning code.

Based on the similar nature of B-1 to B-2, it may make sense to require that residential uses in the city's business zone districts (currently in B-1 and B-2; residential use is not permitted in B-3) be subject to review via the city's conditional use process.

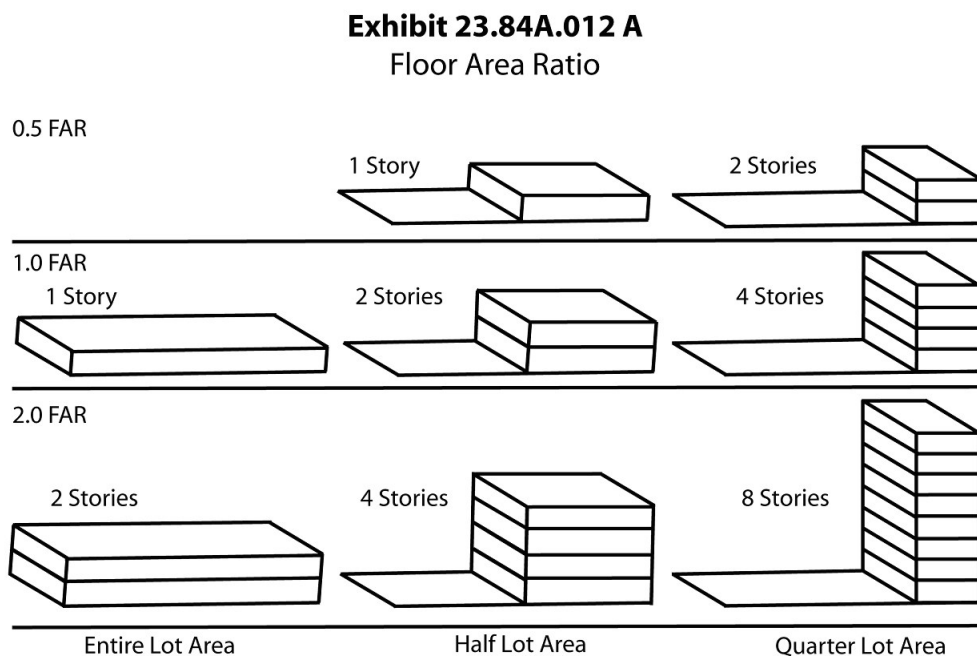
B-2 Lot Requirements:

Floor Area Ratio

Section 10-2-16 outlines the B-2 Zone District and lot requirements. Subsection (C) of this section addresses minimum lot requirements. Within the minimum lot requirements, a 2 to 1 floor area ratio (FAR) is required. In land use site planning, FAR determines the amount of building that can be on a lot in relationship to the size of the lot.

Typically in Littleton, properties that have been developed in the B-2 Zone District, it is hard for projects to get a 2 to 1 ratio due to other zoning requirements, primarily the number of parking spaces required and minimum open space requirements. Staff will bring examples of already developed properties in B-2 and the FARs provided, to share with council during the study session.

The below graphic illustrates the concept of FAR (and is taken from the City of Seattle's land use code).



Written Public Notice:

Section 10-1-9 of the zoning code outlines general application requirements and procedures. Subsection C and D of this section outlines procedures for bringing applications before planning board and city council. Staff suggests adding written public notice into the procedures for all development applications that come before planning board and/or city council. Written public notice would be incorporated into the process and applicants would be required to send written notice (subject to city staff approval of the verbiage) via the US Post Office no less than 10 days prior to the subject hearing. Staff suggests that the written notice be sent to all adjacent property owners within 300 feet of the subject property.


COMMUNITY ENGAGEMENT:


Information about the moratorium and process is posted on Littleton Plans for community members to find out up to date information. Taking direction from council tonight, a community meeting regarding the proposed updates to B-2 will be held on Thursday, July 14, 2016 from 5:30pm to 7:30pm at the Littleton Center. The information presented at the open house will also be posted on Littleton Plans for input from community members not able to attend the open house event.

TIMELINE for review and updates to B-2 Zone District:

- 90-Day Moratorium passed June 14, 2016
- June 28, 2016 joint study session with city council and planning board
- July 12, 2016 follow up study session with city council for final direction
- July 14, 2016 open house with community on proposed amendments for B-2 and information also posted on Littleton Plans for community review and input
- July 25, 2016 ordinance to update b-2 Zone District brought before planning board for recommendation
- August 16, 2016 first reading before city council
- September 6, 2016 second reading before city council for final review and decision-making

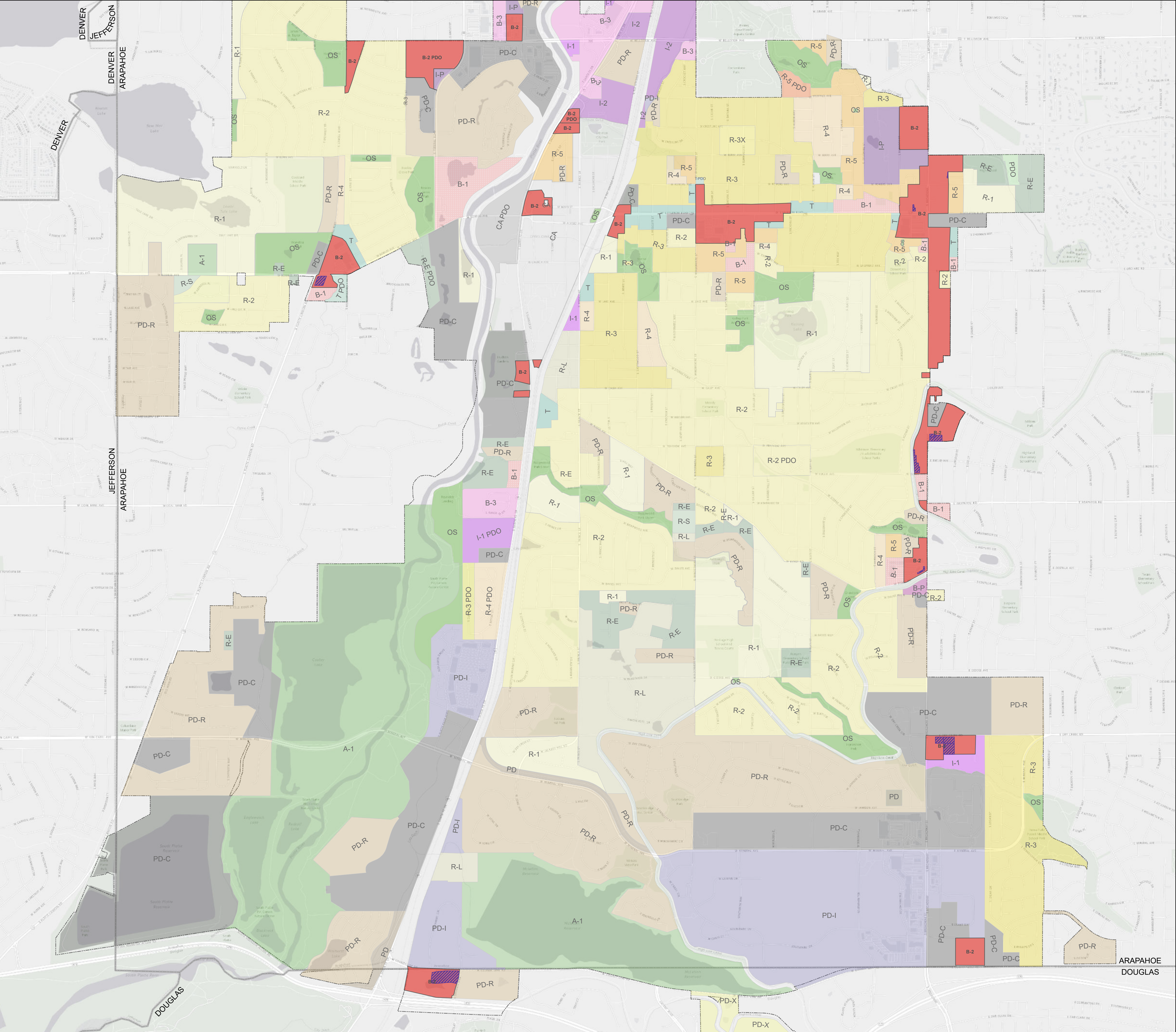
B-2 Zone District

 **B-2 & B-2 PDO** 258 Acres

 **Vacant Land**
on B-2/B-2 PDO 9.5 Acres

Zone Districts

-  A-1
-  B-1
-  B-3
-  B-4 PDO
-  B-P
-  CA
-  CA PDO
-  I-1
-  I-1 PDO
-  I-2
-  I-P
-  OS
-  PD
-  PD-C
-  PD-I
-  PD-R
-  PD-X
-  PDO
-  R-1
-  R-2
-  R-3
-  R-3 PDO
-  R-3X
-  R-4
-  R-5
-  R-5 PDO
-  R-E
-  R-E PDO
-  R-L
-  R-S
-  T
-  T PDO



10-2-16: B-2 COMMUNITY BUSINESS DISTRICT:

The B-2 community business district provides retail sales and personal services for the general public. Users in this district generally market a range of goods and services that do not attract persons from a wide market region but are intended to meet the needs of the surrounding community. As such, arterial street access is necessary. Such centers are generally between one hundred thousand (100,000) and three hundred thousand (300,000) square feet of gross floor area.

(A) Land uses: See section [10-3-2](#) of this title.

(B) Minimum lot requirements:

1. Lot area: None;
2. Unobstructed open space: 20 percent;
3. Maximum height of structure: None;
4. Maximum floor to lot area ratio (FAR): 2:1;
5. Building setbacks: None.

(C) Accessory use standards: See section [10-4-4](#) of this title. (Revised 6-12-1992)

10-4-12: RESIDENTIAL OCCUPANCY IN NONRESIDENTIAL DISTRICTS:

Residential dwelling units are permitted to be located in the same structure as nonresidential uses in the B-1 and B-2 districts provided the following conditions have been met:

- (A) The residential use shall not occupy more than fifty percent (50%) of the gross floor area of the structure.
- (B) All building codes and housing code requirements for both the residential and nonresidential uses must be met.
- (C) No commercial activity, except for permitted home occupations, shall be conducted in the area of the structure designated for residential use.
- (D) Minimum lot standards for the zone district shall apply. Additionally, on site parking shall be provided in sufficient number to meet the requirements for both the residential and nonresidential uses.
- (E) Residential occupancy allowable under the conditions of this section shall be subject to the prior written confirmation by the city's zoning official that the requirements of this section have been met. (Ord. 12, Series of 1994)

Chapter 8

CONDITIONAL USES

10-8-1: 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 board based on findings by the board that: (Revised 6-12-1992; amd. Ord. 19, Series of 2012)

- (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 the proposed 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 herein and in [chapter 4](#) of this title, as applicable; and
 4. The provisions for landscaping, screening, unobstructed open space, service areas, lighting and signage. (Revised 6-12-1992)
- (C) The proposed use will comply with the applicable provisions of this title and of this code, any design guidelines adopted by the planning board, and will not adversely affect the comprehensive plan. (Ord. 5, Series of 2006; amd. Ord. 19, Series of 2012)

10-8-2: REQUIREMENTS AND CONDITIONS FOR SPECIFIC USES:

Except for conditional uses specified in subsection [10-2-24](#)(B)6 of this title for the OS zone district, all land uses requiring conditional use approval are designated in section [10-3-2](#) of this title. The following are uses which require conditional use permits, and minimum performance standards and

zone district limitations which apply: (Ord. 8, Series of 2000)

(A) Utility Installations: Utility installations which occupy more than one thousand (1,000) square feet are permitted with conditions in all zone districts, including telephone exchange, water reservoir, gas regulator stations, electric substations and utility pumping stations, including water wells, not including local transmission and distribution lines, provided the following conditions are met:

1. The location of such a facility will not create a negative impact on existing or proposed adjacent development.
2. Facilities must be screened from general public view.
3. Performance standards of [chapter 4](#) of this title shall be met.

(B) Childcare Centers; Private Schools; Church Facilities: Childcare centers and private schools for any number of children, and church facilities are permitted with conditions in all zone districts, provided the following are met:

1. The operators of childcare centers and private schools shall be licensed in accordance with state requirements.
2. Open play areas shall be screened or otherwise buffered to minimize noise and negative visual impacts on or from adjacent properties.
3. Play areas shall be protected from vehicular traffic by distance separation or by physical barriers.
4. A safe drop off/pick up point for children shall be provided on site.
5. Adjacent public streets shall have adequate capacity to safely carry any additional vehicular traffic which may be generated by the facility. (Revised 6-12-1992)

(C) Radio Transmission Towers, Wind Generators And Similar Structures:

1. Radio transmission towers (except those used for cellular telecommunications), wind generators and similar structures are permitted in all zone districts provided the conditions set forth below, at a minimum, are met:
 - (a) The setback of the structure from any property line shall be at least equal to the height of the structure plus ten feet (10'). Height shall be measured from ground level to the top of the highest attachment or, in the case of wind generators, the largest rotary blade, when vertical.
 - (b) The drawings and specifications for the structure and footings shall be approved by and bear the seal of a registered engineer competent in structural design.
 - (c) The maximum noise level permitted for any wind generator shall be as specified in section [7-3-6](#) of this code. (Ord. 7, Series of 1994)
2. Those commercial mobile radio service (CMRS) facilities which are allowable as conditional uses shall be subject to the standards set forth in section [10-4-11](#) of this title. (Ord. 30, Series of

1997)

(D) (Rep. by Ord. 27, Series of 1993)

(E) Indoor Amusements: Indoor amusements, including, but not limited to, foosball, pinball, electronic games and other coin operated amusement devices which occupy more than fifty percent (50%) of the gross floor area of the establishment are permitted in the B-2 and B-3 zone districts provided the following conditions are met:

1. The operator shall provide for adequate exterior lighting and other security measures.
2. Hours of operation and other restrictions, including curfews established by section 6-4-181 of this code, shall be posted.
3. Physical and security measures shall be employed to ensure that adjacent properties are adequately protected from any negative impacts including, but not limited to, litter, loitering, and noise.

(F) Commercial Outdoor Recreational Uses: Commercial outdoor recreational uses including, but not limited to, go-kart tracks, skateboard and roller skating rinks, miniature golf courses, driving ranges, tennis courts and swimming pools are permitted with conditions in the B-2 and B-3 zone districts provided the following conditions are met:

1. Visual impact and glare shall be minimized, and noise shall conform to the standards of section [7-3-6](#) of this code.
2. The facility shall provide adequate exterior lighting and other security measures.
3. Hours of operation and other restrictions, including curfews established by section 6-4-181 of this code, shall be posted.
4. Adjacent properties shall be adequately protected from any negative impacts including, but not limited to, litter, loitering, and noise.

(G) Solid Waste Incinerators, Transfer Stations, And Similar Uses: Solid waste incinerators, transfer stations, and similar uses are permitted with conditions in the I-2 zone district provided the following conditions are met:

1. The use shall not have an adverse impact on water resources.
2. The use shall be fully screened from adjacent properties and public ways.
3. Noise and odors shall be controlled as provided in [title 7, chapter 3](#) of this code and sections [10-4-6](#) and [10-4-7](#) of this title to minimize impacts on adjacent properties and the surrounding neighborhood.
4. Adequate and appropriate pest control(s) shall be required.

5. Transport of materials to and from site shall be clean and safe and shall not pass through residential neighborhoods except for routine collection service.
6. Hours of operation shall be reasonably restricted if the use is located adjacent to residential property. (Revised 6-12-1992)

(H) Off Site Parking: Off site parking for commercial uses is permitted with conditions on residentially zoned lots which are located adjacent to B-P, T, B-1, B-2, or B-3 zone districts provided the following conditions are met:

1. Parking shall be limited to applicant's customers and employees.
2. Traffic into residential areas shall be restricted.
3. Parking shall be screened from surrounding residential areas and adjacent public streets.
4. Adequate posting, limiting the use to customer and employee parking, shall be placed on the site. (Ord. 26, Series of 2015)

(I) Commercial Teen Clubs: Commercial teen clubs are permitted with conditions in the B-2 and B-3 zone districts provided the following conditions are met:

1. Visual impact and glare shall be minimized, and noise shall conform to the standards of section [7-3-6](#) of this code.
2. The facility shall provide adequate exterior lighting and other security measures.
3. Hours of operation and other restrictions, including curfews established by section 6-4-181 of this code, shall be posted.
4. Adjacent properties shall be adequately protected from any negative impacts including, but not limited to, litter, loitering, and noise.

(J) Community Correctional Facilities: Community correctional facilities are permitted with conditions in the B-3, I-1, and I-2 zone districts provided the following conditions are met:

1. No privately owned or operated community correctional facility can be approved or allowed to continue operating without a contract or agreement to provide services to a judicial district, a correctional department of a unit of local government, the state, or federal government. All state and county permits as required for operating such a facility shall be kept in full force and effect. (Revised 6-12-1992)
2. No property containing a community correctional facility shall be located within five hundred feet (500') of any school, preschool, daycare center, playground, park which includes playground equipment or from any property zoned for residential use, measured from property line to property line. (Ord. 3, Series of 2005)
3. Full time supervision of the residents housed therein must be provided on site.
4. The outward appearance of the facility must be designed and constructed in a manner which

will be compatible with the appearance of adjacent uses and buildings. Designs of a new facility or proposed changes to an existing structure shall be submitted with the required application materials and shall include, at a minimum: building elevations, proposed building materials and colors, a landscaping plan and any plans for fencing or other enclosure materials. (Revised 6-12-1992)

5. In addition to those provisions for termination or abatement of violations as specified in subsection [10-8-3\(D\)](#) of this chapter and section [10-1-4](#) of this title, a conditional use or renewal thereafter granted will be approved for a period up to five (5) calendar years unless complaints are received concerning the operation of the community correctional facility or ownership of the facility changes. No later than forty five (45) days prior to the expiration of the conditional use, the operator of the community correctional facility shall request a public hearing before the planning board for the purpose of determining whether said facility shall be granted a renewal. The renewal shall be issued upon finding that the facility has operated within all conditions previously set forth and that the facility has not been in violation of the intent requirements of section [10-8-1](#) of this chapter. (Ord. 3, Series of 2005; amd. Ord. 19, Series of 2012)

(K) Circuses And Carnivals: Circuses and carnivals are permitted in the B-3 and CA zone districts, subject to the following conditions:

1. Licensing as required under [title 3, chapter 3](#) of this code; and
2. Conditional use approval shall not allow circuses and carnivals for periods in excess of sixteen (16) days.

(L) Open Air Markets: Open air markets are permitted in I-1 and I-2 districts, subject to the following:

1. Visual impact and glare shall be minimized; and noise shall conform to the standards of section [7-3-6](#) of this code.
2. Hours of operation and other restrictions, including curfews established by section 6-4-181 of this code, shall be posted.
3. Employ such physical and security measures to ensure that adjacent properties are adequately protected from any negative impacts including, but not limited to, litter, loitering, and noise.
4. Vehicular traffic shall not have a significant impact on adjacent residential neighborhoods. (Revised 6-12-1992)

(M) Used Motor Vehicles: The sale, leasing, renting, or pawning of used motor vehicles is permitted in the B-2 zone district, subject to the following conditions:

1. Any lights used to illuminate the premises shall be arranged to reflect light away from any public right of way and away from any adjoining residentially zoned or used property.
2. Noise shall conform to the standards of subsection [7-3-5\(K\)](#) of this code regarding amplified sound.
3. No outdoor display ramps shall be permitted.

4. A minimum lot size of three (3) acres is required. (Ord. 5, Series of 1995)

(N) Crematorium: A crematorium is permitted in the T zone district provided the following conditions are met: (Ord. 3, Series of 2003)

1. Emissions, ash or odors shall be controlled as provided in [title 7, chapter 3](#) of this code, sections [10-4-6](#) and [10-4-7](#) of this title and any federal or state statutes or regulations to minimize impacts on adjacent properties and the surrounding neighborhood. The planning board may require installation of monitoring devices to ensure compliance with this section. (Ord. 3, Series of 2003; amd. Ord. 19, Series of 2012)
2. The outward appearance of the facility must be designed and constructed in a manner which will be compatible with the appearance of on site and off site adjacent uses and buildings. Chimneys, smokestacks and vents must be designed with or screened by similar exterior materials to those used on the building in which the crematoria unit is located. Designs of a new facility or proposed changes to an existing structure shall be submitted with the required application materials and shall include, at a minimum: building elevations, proposed building materials and colors, a landscaping plan and any plans for fencing or other enclosure materials.
3. The facility must be located upon the same lot or parcel as a cemetery or mortuary.
4. The facility shall be used only for incineration.
5. Any smokestacks, vents or chimneys shall not exceed thirty feet (30') above finished grade of the lot or parcel or nine feet (9') above the finished roofline, whichever is less.
6. The incineration unit shall be a minimum of twenty feet (20') from any lot or property line. No variance shall be allowed from this minimum distance. (Ord. 3, Series of 2003)

(O) OS Zone District: Conditional uses specified in subsection [10-2-24\(B\)6](#) of this title may be allowed in the OS zone district provided that the following conditions are met:

1. The conditional use proposed shall comply with the intent statement of subsection [10-2-24\(A\)](#) of this title.
2. The conditional use shall be designated as a use included on the master plan for park or open space site for which the use is proposed.
3. The location of such a facility will not create a negative impact on existing or proposed adjacent development.
4. Visual impact and glare shall be minimized, and noise shall conform to the standards of section [7-3-6](#) of this code.
5. The facility shall provide adequate exterior lighting and other security measures.
6. Hours of operation and other restrictions, including curfews established by section 6-4-181 of this code, shall be posted.
7. Parking and access for patrons and spectators shall be designed to minimize use of local residential streets. (Ord. 8, Series of 2000)

(P) Animal Boarding And Care Facility: "Animal boarding and care facility", as defined in section [10-1-2](#) of this title, is permitted in the B-1 and B-2 districts provided that all conditions described in section [10-4-15](#) of this title are met; requirements of section [10-8-3](#) of this chapter are met and the planning board finds the proposal to be in compliance with the legislative purposes described in section [10-8-1](#) of this chapter. (Ord. 6, Series of 2010; amd. Ord. 19, Series of 2012)

(Q) Certain Nonresidential Uses In Residential Zone Districts: Studios for teaching fine arts and martial arts are permitted with conditions in the R-3, R-3X, and R-4 zone districts provided the following conditions are met:

1. The use is conducted within a nonresidential structure that was constructed for a church or school.
2. The use and site shall comply with the off street parking requirements specified in section [10-4-9](#) of this title.
3. Exterior lighting shall be fully shielded and comply with the requirements of [chapter 15](#) of this title in order to mitigate negative impacts to the surrounding residential properties.
4. Adjacent public streets shall have adequate capacity to safely carry any additional vehicular traffic which may be generated by the use.
5. All signage must comply with section [4-3-2-3](#) of this code. (Ord. 24, Series of 2011)

(R) Tattoo Parlors And Body Arts Studios: Tattoo parlors and body arts studios may be permitted in the B-2, B-3 and CA districts subject to being no closer than one thousand feet (1,000') from another tattoo parlor or body arts studio within the city. The planning board may apply conditions to reduce the impact of the use on adjoining properties which may include, but not limited to, hours of operation, parking, outdoor lighting and security measures. All signage must comply with section [4-3-2-5](#) of this code. (Ord. 14, Series of 2015)

10-8-3: REQUIREMENTS AND CONDITIONS FOR ALL CONDITIONAL USES:

All conditional uses specified above shall also be subject to the following requirements and conditions:
(Revised 6-12-1992)

(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 board as provided in section [10-8-4](#) of this chapter. (Revised 6-12-1992; amd. Ord. 19, Series of 2012)

(B) Harmful Effects: Conditional uses shall, to the maximum extent possible, be oriented to minimize

any harmful effect the use may have on any adjacent property or use. (Revised 6-12-1992)

- (C) Minimum And Additional Conditions: All applicable requirements of this code shall be met and are deemed the minimum required. 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 this chapter as stated in section [10-8-1](#) of this chapter. (Revised 6-12-1992; amd. Ord. 19, Series of 2012)
- (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 board unless a time extension is granted pursuant to subsection (F) of this section; (Ord. 20, Series of 2012)
 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 reasonable notice to comply has been given by the city. In addition, the penalties and remedies of section [1-4-1](#) of this code and section [10-1-4](#) of this title may be applied.
- (E) Specifications Effective: Unless a phased development plan is approved with the application, once any portion of the conditional use is utilized, all specifications and conditions pertaining to the conditional use become immediately effective. (Revised 6-12-1992)
- (F) Time Extension: An extension of approval for no more than one year may be granted by the director of community development, provided a written request for extension is filed with the planning division prior to the date of expiration. In the event additional time is needed, a second time extension of no more than one year may be granted by the planning board.
- (G) Reinstatement: The process for reinstatement of any conditional use that has been terminated under the terms of subsection (D) of this section shall be the same as for original approval. (Ord. 20, Series of 2012)

10-8-4: PROCEDURES:

All applications for permission to establish a conditional use are subject to the following procedures:

- (A) Application Procedures: An official application form and materials required in subsection [10-1-9\(A\)](#)

of this title, together with the materials required in this subsection, shall be submitted by the applicant. The official application form shall be provided by the planning division which shall generally contain the requirements specified below and elsewhere in this title. Actual requirements will be dependent upon the type and nature of the conditional use being requested. For example, some application requirements which apply to commercial outdoor recreation uses would not be required of daycare centers. An application for a conditional use is separate and distinct from any requirement to file an application for a business license, or for a rezoning or a subdivision plat as may be required elsewhere in this code. General application requirements shall include: (Ord. 10, Series of 1993)

1. Supplemental Information: The conditional use application shall also include the existing land use, and a written description of the proposed use detailing the nature of the proposed operation including type of business, hours of operation and traffic generation. Other requirements as specified in the official application form shall be provided to enable thorough and accurate analysis of the request. (Revised 6-12-1992)
2. 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. The SDP shall show all contiguous real property ownership or interests of the applicant. For purposes of this section, public rights of way shall not be considered to interrupt this requirement. In addition to the requirements of section [10-7-2](#) of this title, the SDP shall also include, at a minimum, an area map providing the following information: a) existing ownerships of the subject property and all abutting property; and b) existing zoning and land use on the subject property and all property lying within five hundred feet (500'). (Ord. 34, Series of 2009)
3. 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 sketch plan shall show all contiguous real property ownership or interests of the applicant. For purposes of this section, public rights of way shall not be considered to interrupt this requirement. In addition to the information required in the operating standards, the sketch plan shall include the following:
 - (a) Name and address of the proposed conditional use.
 - (b) Area map providing the following information:
 - (1) Existing ownerships of the subject property and all abutting property.
 - (2) Existing zoning and land use on the subject property and all property lying within five hundred feet (500').
 - (c) Written description of the proposed conditional use.
4. Additional Material Required: Additional written and graphic materials may be required by the planning division to accurately establish conformance of an application with the intent and standards of this chapter, other applicable provisions of this code, and with the comprehensive plan.

(B) Review Procedure:

1. City Staff Review Procedure: Applications for a conditional use shall be reviewed pursuant to subsection [10-1-9\(B\)](#) of this title. (Ord. 20, Series of 2012)
2. Planning Board Review Procedure:
 - (a) Applications for conditional use are considered by the planning board at a public hearing. All requests for conditional use shall be submitted and heard pursuant to the requirements and procedures set forth in subsection [10-1-9\(C\)](#) of this title.
 - (b) The planning board shall determine if the request meets the statement of legislative purpose set forth in section [10-8-1](#) of this chapter based on the evidence and testimony presented at the public hearing. The planning board may approve the application, approve with conditions or deny the request. The planning board may table the matter to a date certain pending the provision of further information.
 - (c) The planning board may require conditions other than the minimum performance standards established in section [10-8-2](#) of this chapter and deemed reasonably essential for the health, safety and general welfare of the public. (Revised 6-12-1992; amd. Ord. 19, Series of 2012)
- (C) Appeals: The decision of the planning board of the conditional use shall be final unless the applicant files a written appeal to the decision. Such appeal request shall be filed with the community development department within ten (10) days after the planning board decision or the right to appeal shall be deemed to have been waived. The appeal request shall be placed on the agenda of the city council within thirty (30) calendar days after receipt of the written appeal unless a longer time frame, not to exceed sixty (60) calendar days, is requested by the applicant. The city council will conduct a public hearing to receive evidence and testimony from the applicant, city staff and interested parties. After conducting the public hearing, the city council may approve, deny, or approve the conditional use with modifications. (Ord. 20, Series of 2012)

10-8-5: AMENDMENTS:

- (A) The procedure for amending any approved conditional use shall be the same as prescribed for original approval. No amendment approved by the planning board shall violate the conditions, requirements or limitations set forth in this code. Provided the applicable conditions of subsection (B) of this section are met, the director of community development may approve administrative amendments for those changes specified below: (Ord. 20, Series of 2012)
 1. Relocation of access points from the property onto local and collector streets, but not including arterial streets or state highways;
 2. Changes in the location and type (ground, monument, wall, etc.) of signage, but which do not increase the maximum allowable sign area; or
 3. Relocation of structures, parking and open spaces, but not including any variation from the maximum or minimum standards for each established by the approved conditional use. (Ord. 10, Series of 1993)

- (B) The director of community development may approve a request for an administrative amendment to an approved conditional use which does not contain any of the following: (Ord. 20, Series of 2012)
1. A change to any specific conditions attached to the original approval, or to any subsequent amendment thereto, approved by the planning board; (Ord. 10, Series of 1993; amd. Ord. 19, Series of 2012)
 2. A change in the approved use; (Ord. 10, Series of 1993)
 3. An increase in the approved gross floor area greater than twenty five percent (25%) above the amount approved in the application by the planning board; (Ord. 10, Series of 1993; amd. Ord. 19, Series of 2012)
 4. An increase in the approved building height;
 5. An increase in the approved access to public streets;
 6. A reduction of required private and/or public open space;
 7. A reduction of required off street parking and loading space; or
 8. A reduction of required landscaping and/or screening requirements. (Ord. 10, Series of 1993)

10-1-9: GENERAL APPLICATION REQUIREMENTS AND PROCEDURES:

(A) Application Procedures: Without limiting an applicant's right to file additional materials, the applicant shall submit an official application on forms provided by the planning division. An application shall not be considered officially filed until the official application form is complete, the appropriate application fee is paid, and record of such payment is affixed to the application form.

It is the specific intent of this subsection that it is the applicant's sole responsibility to provide all required information, forms, statements and fees at the time an application is filed. Failure to provide said information may cause the application to be rejected and returned to the applicant.

1. Applicability: The application requirements contained in this section apply to:

- (a) Initial zoning of newly annexed territory;
- (b) Rezoning;
- (c) General PD plans;
- (d) PDOs;
- (e) Conditional uses; and (Revised 6-12-1992)
- (f) Uses by special permit pursuant to [title 3, chapter 17](#) of this code. (Ord. 44, Series of 1992)

2. Preapplication Conference: All applicants shall meet with the planning division at a preapplication conference to discuss the concepts, feasibility, regulations and application requirements applicable to the proposal. The planning division shall review and explain the appropriate official application form with prospective applicants at the preapplication conference. (Ord. 10, Series of 1993)

3. Official Application Form: An official application form shall be provided by the planning division and shall contain the requirements specified in the operating standards as established by the department of community development. General requirements shall include the following documents in addition to the requirements in the operating standards:

- (a) Name, address and telephone number of the applicant. Any application which is filed by a party other than the property owner, or by the city, shall contain a written statement signed by the owner stating that there is no objection to the proposed application and the signatory is authorized to act on behalf of the owner with regard to all aspects of the action requested under subsection (A)1 of this section. Such statement by the property owner shall be notarized.
- (b) A current title commitment.
- (c) The applicant shall mail notice to the mortgagee(s), if any, which summarizes the proposed zoning matter and includes the name and telephone number of the city employee in charge of reviewing the matter. Said notice shall be sent by registered mail, return receipt requested. A copy of the notice and the original returned receipt shall be attached to the application. (Ord. 20, Series of 2012)

4. Application Fee: The council shall, by resolution, establish the required application fee. (Revised 6-12-1992)

5. Referral Procedure:

- (a) **Submission Requirements:** The applicant shall submit a preliminary application to the planning division, including the preliminary map, an official application form, and other materials determined by the planning division to be necessary to complete the referral review. The actual number of copies of the application materials will be determined during the preapplication conference and shall be based, in part, on the number of referral agencies which are required to review the application. One reproducible copy of the preliminary map shall also be submitted.
- (b) **Distribution:** The preliminary application material will be distributed by the planning division to all applicable reviewing agencies in accordance with the operating standards. (Ord. 20, Series of 2012)
- (c) **Responses And Revisions:** The applicant shall be provided with copies of reviewing agency comments. The applicant may revise the application, as necessary, to address the reviewing agency comments prior to filing the final application. All referral agency comments and applicant responses shall be included in the final application. (Ord. 10, Series of 1993)

6. Process For Submitting Final Applications For Public Hearing:

- (a) Final applications shall include any required amendments, referral agency comments and applicant responses to those comments, and a final version of the map required in subsection (A)5(a) of this section.
- (b) After the final application is submitted, the planning division shall determine whether or not the application is complete, accurate and acceptable for processing. Any applications which are incomplete, inaccurate or unacceptable shall be returned to the applicant, and shall not be processed further until the necessary corrections are made.
- (c) After final applications are accepted by the planning division for processing, the applications shall not be amended by the applicant unless such amendments are required by the planning division to correct a technical error, to address an omission, or to address specific conditions to approval recommended by the planning board. Final application deadlines and copy requirements shall be in accordance with the operating standards.

(B) Review Procedure:

- 1. **City Staff Review:** City staff shall review the request for compliance with city requirements and comment on the concept proposed in light of the city's comprehensive plan, neighborhood goals and policies, the ordained criteria by which the application is to be judged and existing and approved development within the general area.
- 2. **City Staff Recommendation:** City staff shall review the proposal in light of the provisions of this title, 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.

(C) Planning Board Review Procedure:

- 1. **Schedule Hearing:** After city staff has formulated a recommendation, the planning division shall

schedule a public hearing before the planning board. Written notice of the time, date and location of such hearing, together with notice of the last date upon which the applicant can post legal notice of the public hearing, shall be provided to the applicant.

2. Public Hearing Notice: Notice of a public hearing shall be provided by the city and the applicant as prescribed by state law and in the operating standards as established by the department of community development. Notice of the public hearing shall be made at least ten (10) calendar days prior to the planning board public hearing date.
 3. Review: The planning division shall prepare a report for the planning board containing the division's analysis and recommendation.
 4. Recommendations: After reviewing and considering the evidence and testimony presented at the public hearing, the planning board shall render a decision or recommendation as appropriate based on the following provisions of the code:
 - (a) Rezoning, including PD district: Section [10-12-1](#) and subsections [10-2-23](#)(A) and (B) of this title;
 - (b) General PD plan: Subsections [10-2-23](#)(A) and (B) of this title;
 - (c) PDO: Section [10-9-1](#) of this title; and
 - (d) Conditional use: Section [10-8-1](#) of this title.
 5. Continuance: The board may continue a public hearing to a date certain, pending provision of further information by the applicant or the staff, provided the continuance is agreed to by the applicant. In the absence of any such agreement, the planning board shall either make a final recommendation or take final action, whichever is applicable, on the application. (Ord. 20, Series of 2012)
- (D) City Council Action: Applications for rezoning, initial zoning and PD plans shall be granted or denied by the council in accordance with the procedures set forth in subsection [10-12-4](#)(B)3 of this title. (Revised 6-12-1992)
- (E) Recording: All general PD plans, PDO plans, final PD plans, and final SDPs approved under the procedures set forth in this title shall be recorded in the clerk and recorder's office of the appropriate county (Arapahoe, Douglas or Jefferson), at the applicant's expense. Recording shall be made by the city, if within one year following final approval by the applicable reviewing body the city receives from the applicant two (2) complete reproducible mylar copies of the plan documents, including all required signatures, and the applicable recording fee. Failure of the applicant to timely meet this submittal requirement shall cause the plan to become null and void and may be restored only by formal action of the applicable reviewing body unless a time extension is granted pursuant to subsection (F) of this section.
- (F) Time Extension: An extension of approval for no more than one year may be granted by the director of community development, provided a written request for extension is filed with the planning division prior to the date of expiration. (Ord. 20, Series of 2012)

City Council July 12, 2016 Study Session

***Council direction for updates to
the B-2 Zone District***

Overview

- **Council Approved Moratorium**
- **Existing B-2 regulations**
- **Amendment consideration**
- **Timeline**
- **Questions & Direction**



Moratorium

- 90 days from June 14, 2016
- Letter to sent property owners June 23, 2016
 - 250 B-2 property owners
- Approximately 7 future projects affected
- Information on Littleton Plans
- *Note: Moratorium is prospective – does not apply for any application already in review/pending*

Existing B-2 Zone District Regulations

- Retail sales and personal services
- Range of goods and services
- Meet needs of surrounding community
- Arterial street access is necessary
- Range between 100,000 & 300,000 sq. ft.



Existing B-2 Zone District Regulations

- **Minimum lot requirements:**
 - Lot area: none
 - Unobstructed open space: 20%
 - Maximum height of structure: none
 - Maximum FAR: 2:1
 - Building setbacks: none



Existing B-2 Supplemental Standards

- **10-4-1 Standards Related to Site Design**
 - Number of Principal Structures (10-4-1 (B)4)
 - Distribution of open space (10-4-1(c))
 - ***Residential Occupancy in Nonresidential Districts (10-4-12)***





Residential as Conditional Use

- **Conditional Uses – Chapter 8 of Zoning Code**
 - **Uses are conditional when they may have greater impact to the surrounding properties**
 - **Uses may be allowed in particular location if determined to be compatible with adjacent properties and surrounding neighborhood**
 - **Review and determination by Planning Board**



Residential as Conditional Use

- **CU Determination is based on**
 - Nature of site
 - Size and shape of the lot
 - Arrangement of structures
 - Traffic and pedestrian patterns
 - Landscaping and open space
 - Lighting
 - Signage
 - All zoning provisions must be met

Residential as Conditional Use

LAND USE CATEGORIES ZONE DISTRICTS.	A-1	R-S	R-L	R-E	R-1	R-2	R-3	R-3X	R-4	R-5	MH	R-P	T	B-1	B-2	B-3	CA	STP	I-P	I-1	I-2	CEM
3.20 Two-/three-family residence	O	O	O	O	O	O	O	P	P	P			P				P					
3.30 Multi-family residence (4 or more units)															C							
3.31 Townhouse	O	O	O	O	O	O	O	O	P	P			P				P					
3.32 Apartments									P	P			P		C		P					
3.33 Independent living facility										P			P		C		P					
3.40 Mobile homes											P											
3.50 Homes emphasizing special services, treatment or supervision																						
3.51 Group homes for handicapped	P	P	P	P	P	P	P	P	P	P			P				P					
3.52 Group homes for elderly	G	G	G	G	G	G	G	G	G	G			G				G					

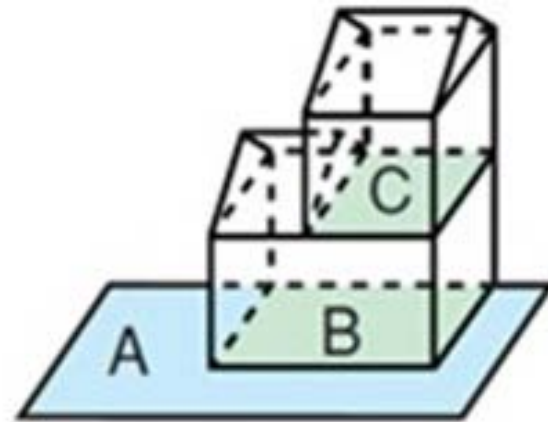
(R) Residential ~~dwelling units~~ uses are permitted to be located in the same structure as nonresidential uses in the B-1 and B-2 districts provided the following conditions have been met:

1. The residential use shall not occupy more than fifty percent (50%) of the gross floor area of the structure.
2. All building codes and housing code requirements for both the residential and nonresidential uses must be met.
3. No commercial activity, except for permitted home occupations, shall be conducted in the area of the structure designated for residential use.
4. Minimum lot standards for the zone district shall apply. Additionally, on-site parking shall be provided in sufficient number to meet the requirements for both the residential and nonresidential uses.
5. Residential occupancy allowable under the conditions of this section shall be subject to the prior written confirmation by the city's zoning official that the requirements of this section have been met. (Ord. 12, Series of 1994)

Floor Area Ratio

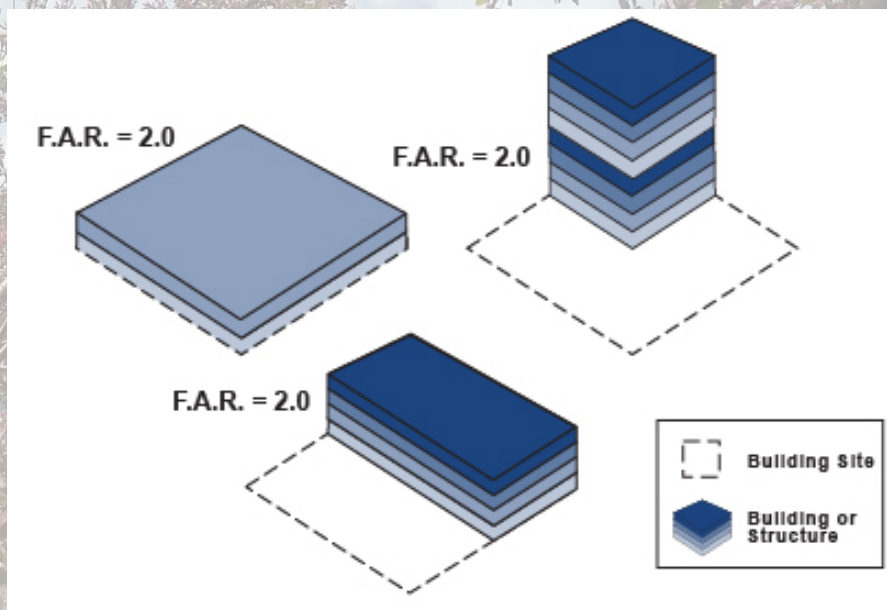
- **Floor Area Ratio:**
 - Building size in relation to lot area
- **Calculated using Gross floor area & lot area**

$$\text{Floor-Area Ratio (FAR)} = \frac{\text{Total Floor Area (B + C)}}{\text{site area (A)}}$$



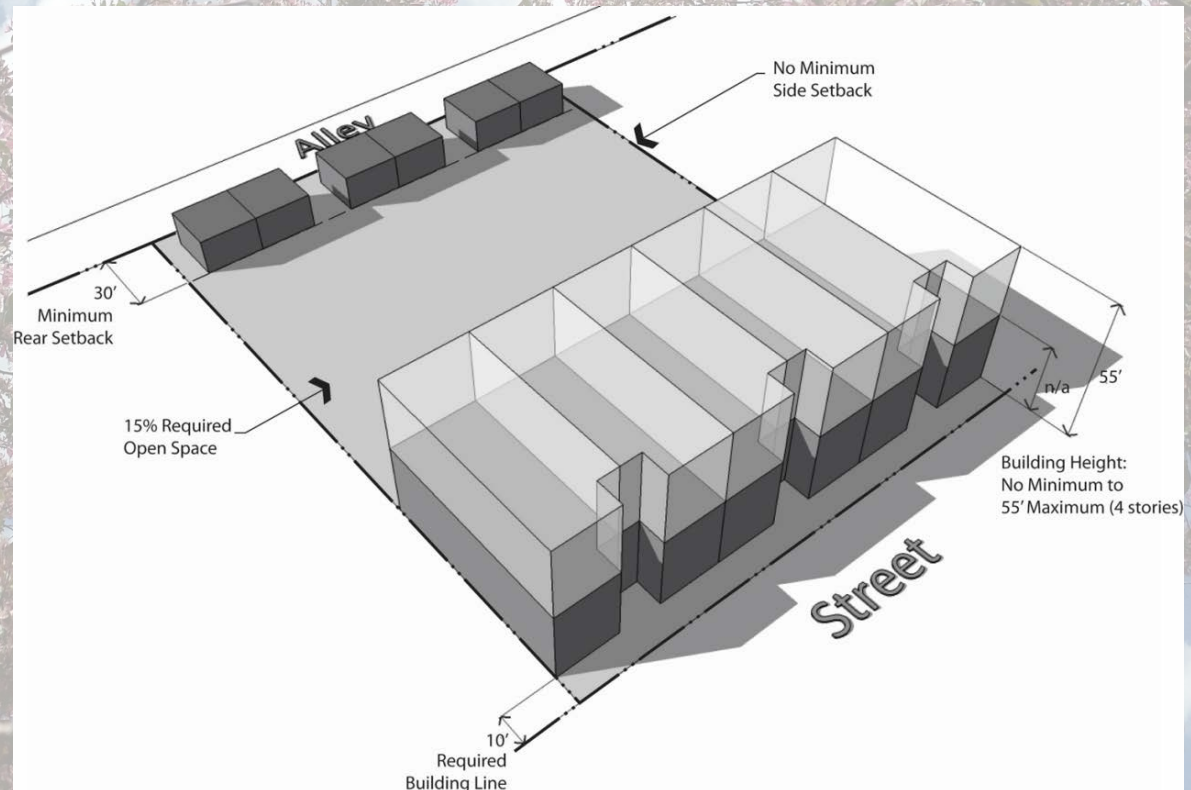
Floor Area Ratio

- **B-2: Maximum floor area ratio of 2:1**
10-2-16(b)
- **Twice as much gross square footage as the total square footage of the site**

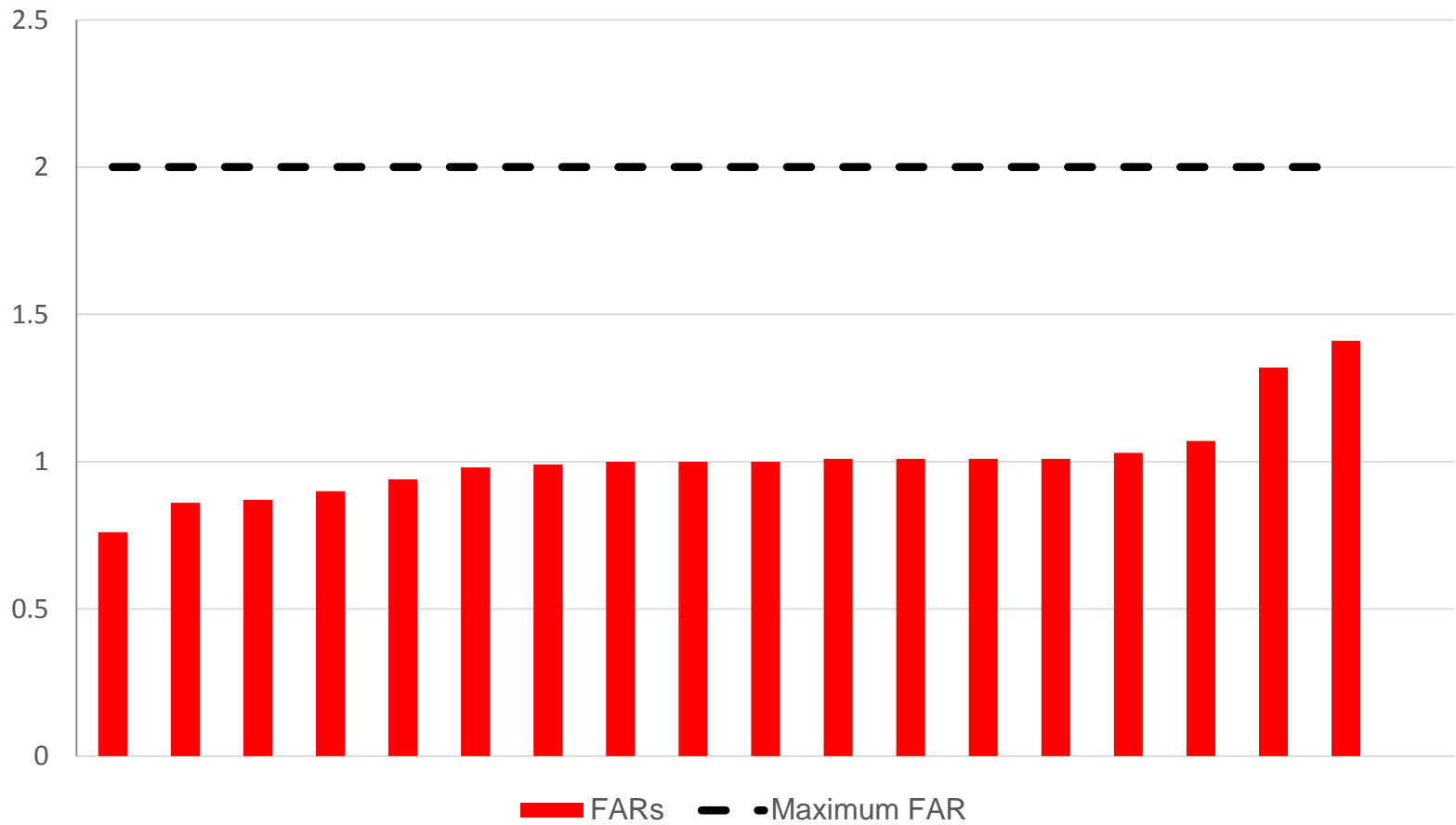


Floor Area Ratio

- Regulations that impact FAR
 - Open space (20 %)
 - Evenly Distributed Open Space
 - Parking



Average B-2 Zone Floor Area Ratios





Residential as Conditional Use

- **CU Determination is based on**
 - Nature of site
 - Size and shape of the lot
 - Arrangement of structures
 - Traffic and pedestrian patterns
 - Landscaping and open space
 - Lighting
 - Signage
 - All zoning provisions must be met
 - Determination made by Planning Board

Written Public Notice

**All Public
Hearings**

**PDOs
GPDPs
Conditional
Uses
Rezoning**

**Notice to all property owners
within 300'**

Timeframe

**Joint Study
Session
06/28/16**



**Council direction
study session
7/12/16**



**Community Open
House
07/14/16**



**Planning
Board Public
Hearing
07/25/16**



**City Council
First Reading
08/16/16**



**City Council
Public
Hearing
09/06/16**

Questions & Direction





Staff Communication

File #: ID# 16-131, **Version:** 1

Agenda Date: July 12, 2016

Subject:
Discussion of Five-Year Capital Plan

Presented By: Doug Farmen, Finance Director

POLICY QUESTION:

Does city council support a fiscally constrained five-year capital plan?

BACKGROUND:

On May 24, staff presented council with a 20-year citywide capital plan. The next steps as decided from that meeting were to develop a fiscally constrained five-year capital plan and address priority capital needs for 2017.

STAFF ANALYSIS:

The city's department directors reviewed and prioritized citywide capital needs for 2017-2021. This plan is fiscally constrained which shows capital projects that could be funded along with a substantial amount of capital projects over the next five years which would need deferral, due to a shortage of ongoing revenues.

The analysis shows total five-year project costs of \$67.9 million (includes inflation). Using the existing Capital Projects fund balance and estimated ongoing resources over the next five years, it's planned that \$32.3 million could fund the "Top Priority" staff list over five years.

FISCAL IMPACTS:

This majority of this draft plan will be part of the Littleton Capital Improvement Plan that will be included with the 2017 Proposed Budget to be submitted to council in August.

STAFF RECOMMENDATION:

Staff's recommendation is to use current Capital Projects fund balance, plus ongoing revenues, plus the estimated General Fund interfund transfers from net revenues with an additional \$1 million each year for five years from the 17% General Fund ending fund balance (lowering reserve to 10%), to fund a proposed \$37.4 million in capital projects over the next five years. The majority of the \$5 million additional General Fund resources would fund \$4.7 million in additional street maintenance costs and \$225,000 net costs for a new fire engine in 2018. The results would be funding 56% of project costs, deferring 44% until funding is available.

City of Littleton
Capital Projects Fund
2017-2021

7/7/16

2016 Adjusted Ending Fund Balance for Budgeting	
Available for budgeting at 12/31/16	\$ 9,363,393

<u>Project Funding</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>Totals</u>
Available for budgeting at 12/31/16	\$ 9,363,393	\$ 7,242,496	\$ 5,871,309	\$ 3,943,130	\$ 1,512,050	\$ 27,932,378
Revenues						
General Fund Transfer	\$ 1,100,000	1,300,000	1,000,000	800,000	100,000	4,300,000
Grants (911 and CDBG)	253,500	253,500	253,500	253,500	253,500	1,267,500
Fire Partners	1,818,032	88,674	370,191	126,746	402,389	2,806,032
Interest Earnings	137,500	112,500	97,500	80,000	50,000	477,500
Building Use Taxes	1,515,000	1,530,150	1,545,452	1,560,907	1,576,516	7,728,025
Highway Users Tax (Streets)	1,313,000	1,326,130	1,339,391	1,352,785	1,366,313	6,697,619
Subtotal	\$ 6,137,032	\$ 4,610,954	\$ 4,606,034	\$ 4,173,938	\$ 3,748,718	\$ 23,276,676
Total Resources	\$ 15,500,425	\$ 11,853,450	\$ 10,477,343	\$ 8,117,068	\$ 5,260,768	\$ 51,209,054

Projects (Status quo streets at \$1.5M each year)

Leases	\$ 1,527,290	\$ 1,565,370	\$ 1,561,330	\$ 1,561,370	\$ 1,565,340	\$ 7,780,700
Vehicles & Apparatus	3,666,625	1,304,000	1,685,500	1,225,500	1,002,600	8,884,225
Buildings	60,000	100,000	100,000	100,000	83,000	443,000
Streets, Sidewalks, Traffic	1,706,250	1,789,134	1,876,370	1,468,186	1,055,572	7,895,512
Concrete, curb and gutter	421,000	443,103	466,366	390,850	311,370	2,032,689
Technology	543,600	403,441	413,526	423,863	434,460	2,218,890
Equipment	333,164	377,093	431,121	1,435,249	466,981	3,043,608
Subtotal	\$ 8,257,929	\$ 5,982,141	\$ 6,534,213	\$ 6,605,018	\$ 4,919,323	\$ 32,298,624

Ending Fund Balance Top Priorities	\$ 7,242,496	\$ 5,871,309	\$ 3,943,130	\$ 1,512,050	\$ 341,445	
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Projects - New Fire Engine and Added Street Maintenance

New Engine (Master Plan - New Service)	\$ -	\$ 750,000				\$ 750,000
Less: Fire partner contributions		(525,000)				(525,000)
Additional Concrete, Curb, Gutter	-	-	-	100,000	100,000	200,000
Additional Street Maintenance (funded by GF)	1,000,000	1,000,000	500,000	1,100,000	1,100,000	4,700,000
Subtotal	\$ 1,000,000	\$ 1,225,000	\$ 500,000	\$ 1,200,000	\$ 1,200,000	\$ 5,125,000

Option:

Use \$1M from GF fund balance each year for street paving (leaves 10% reserve in 2021)	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000
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Ending Fund Balance after Additional Projects	\$ 7,242,496	\$ 5,646,309	\$ 4,218,130	\$ 1,587,050	\$ 216,445	
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City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

File #: ID# 16-148, **Version:** 1

Agenda Date: 07/12/2016

Subject:

Discussion of Council Standards of Conduct and Protocols re: Email Use

Presented By: Mayor Beckman



PROTOCOLS AND STANDARDS OF CONDUCT

Adopted 02/02/2016

I. Purpose and Intent

The Charter of the City of Littleton provides the founding document for all issues concerning protocols and standards of conduct as a primary reference, and the City of Littleton is committed to maintaining high ethical standards. The City operates in a representative democracy to serve the citizens of Littleton and ensure the community's needs are met. Public servants have a special responsibility to carry out their duties with integrity. In order to preserve the confidence and trust of the public, the Protocol and Standards of Conduct provides uniform rules to guide the conduct of the City's Council and board and commission members, hereinafter referred to as Boards.

Non-substantive changes to this document may be made and then distributed to Council.

II. Meeting Protocols

- A. Public input and observation are an important part of the democratic process. Council/Boards should make the public feel welcome and should refrain from showing any sign of partiality, prejudice or disrespect toward an individual participating in or attending a public forum. Members of City Council/Boards should be made to be fair and impartial in listening to public testimony. City Council will be accepted any written comments if they include the name and address of the sender. Comments to be included in City Council's packets will be sent to the City Clerk no later than 1:00 p.m. on the Thursday before the Tuesday meeting. If there are issues that need to be addressed after packets are distributed, the correspondence received by the City Clerk by noon on the Monday before a public hearing and disseminated to City Council via email and will be collated; any documents received after the 12:00 p.m. on the day of a Council meeting will be disseminated the night of the City Council meeting.
- B. Council expects civility among and between Council, Boards, and members of the public while in meetings. Disrespectful behavior will not be tolerated. Any person who makes offensive, insulting, threatening, insolent, slanderous or obscene remarks or becomes boisterous or who makes threats against any person or against public order and security while in the Council Chamber shall be removed at the direction of the Mayor from the meeting, unless permission to remain is granted by the majority vote of the Council members present.

- C. Council/Boards should show respect for each other at all times. Disagreement and debate are constructive and expected. An effective Council/Board is composed of members who are able to agree to disagree without personalizing issues.
- D. Members of the Council/Boards and the public are expected to refrain from sidebar conversations to the greatest extent possible so as not to detract from the speaker who has the floor.
- E. Because scheduled meetings are the intended forum for public debate and dialog, Council expects all Council/Board members to keep an open mind without prejudgment, to work collaboratively to identify promising options, to openly discuss and evaluate options, and to listen to the concerns of other Council/Boards prior to making a decision. Additionally, it should be understood that acknowledgement of individual opinions and ideas, especially those that differ from one's own, is what allows the best discussion and decision for the community.
- F. Council/Boards are expected to attend meetings having reviewed all the materials and to be prepared to ask questions, make comments, and discuss all issues.
- G. To attain efficiency, Council/Boards should simply state, "I agree" rather than restating a point.
- H. Council/Boards should ask the Mayor/Chair to intervene if discussion on agenda becomes repetitive.
- I. Council/Boards should consider the best interests of the City and the ramifications to all the citizens and businesses while considering issues.
- J. Council/Boards should refrain from undermining the Council/Board as a whole or undermining an individual member. Members should feel comfortable communicating the reasoning for their voting decision. However, after the decision has been made, the member should support the decision of the body and move forward.
- K. It is improper during roll call for any Council/Board members to state or attempt to state the vote or sentiments of any absent Council/Board member.
- L. Any Council/Board member who is unable to attend a scheduled meeting shall notify the Mayor/Chair or City Manager at least 24 hours in advance of said meeting, if possible.
- M. Council/Boards agree to bring non-substantive changes to items on the agenda to staff outside of a public meeting and retain substantive items for public discussion with Council/Board.
- N. The City Council is responsible for making policy. The City staff is responsible for implementing policy. Council members and staff should understand the difference between creating policy and implementing policy and be respectful and supportive of each

role. In the development of policy recommendations to the City Council, alternatives should be evaluated and addressed by staff.

- O. The City Council desires to have all City Council, Planning Board, Historic Preservation Board, Board of Adjustment, Board of Appeals, and Licensing Authority regular, special, and study meetings televised and recorded. When creating any working groups or committees, the City Council shall determine whether the purpose of the committee warrants its meetings being recorded and televised.

III. Confidential Information

Confidential information shall not be disclosed to anyone other than City Council, Boards or City staff whose official duties are related to the subject matter of the confidential information. This protocol shall not be construed as prohibiting the City Manager and City Attorney from distributing confidential information to the extent reasonably necessary to implement Council direction.

IV. Making Public Statements

- A. When giving a written or oral personal public opinion concerning issues facing or involving the City, all Council, Board or Commission members shall refrain from making statements on behalf of the City or the body upon which he or she serves, unless such person has explicitly been authorized by the respective body. When acting as, or perceived as acting as, a representative of the official body he or she represents, an individual must always uphold the approved Council, Board or Commission point of view.
- B. Any comments made by a Council/Board member at a meeting of another board should be assumed to be the Council/Board member's personal views or opinions and not the official position of the Council/Board unless stated otherwise.
- C. Council reports are intended to communicate to other Council members about meetings and information that are of value and beneficial to the body as a whole.

V. Council/Boards and City Employee Communications

- A. To foster open communication and the public policy-decision making process, it is the desire of Council to ensure an evenness of communication between Council/Boards and staff as well as between Council/Board members. This means all Council/Board members expect to receive information that is relevant to the Council/Board's policymaking authority and deliberations as well as to the education and knowledge of individual members.

- B. All City Council and Board and Commission members shall use city email for email communication on any city issues.
- C. Council/Boards should seek direction from the City Manager if there is any doubt regarding the appropriate level of contact with City employees.
- D. Council/Boards should make reasonable attempts to notify the appropriate City staff members in advance of public meetings about key questions and discussion points that they would like addressed during the public meeting.
- E. For routine questions or requests (e.g., code complaints, questions regarding agenda items), Council/Boards should contact the City Manager's Office or the appropriate City department director with information about the request. These requests can be made at any time rather than waiting for a formal referral at a Council/Board meeting. It is the responsibility of staff to ensure an evenness of information when questions are asked of staff that relate to an issue that might come before the Council/board and disseminate information accordingly. Legal questions should be initiated through the Deputy City Attorney whenever possible and appropriate.
- F. Requests for additional information or reports that staff determines would take a significant amount of staff time/resources shall be referred to the City Manager for review and possible consideration by the Council/Boards as a whole and agreed upon as something that merits an investment of City resources.
- G. Critical comments about specific City employees' performance should only be made to the City Council appointees that include the City Manager, the City Attorney and the municipal judge through correspondence or conversation outside the public setting.
- H. All Boards shall be given sufficient and reasonable advance notice of a Council meeting for which the Board either will be the subject of an agenda item or is being requested to participate in the Council meeting agenda, allowing for scheduling and preparation.

VI. Involvement in Administrative Functions

- A. Members of Council/Boards shall refrain from influencing the recommendations made by staff or the information provided by staff to the Council/Board as a whole.
- B. Members of Council/Boards should have the same information for decision-making purposes. The Council/Boards may expect staff to provide each member with identical information on items scheduled for deliberation, even when requested by only one member.

VII. Council Conduct with Boards and Commissions

- A. The City Council has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on most Boards or Commissions are advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect. Council members should refrain from having any ex parte communications with Boards concerning issues and/or applications before any quasi-judicial body. Council communication with Boards shall be solely through a joint work session or through Council liaisons as set forth below.
- B. Since the attendance of three or more Council members constitutes a legal Council meeting, Council members should advise the City Clerk at least 24 hours in advance of their planned attendance, or at another function where discussion of City business is anticipated so that appropriate and timely public notification can be prepared and posted.

VIII. Council Meetings with Boards and Commissions

- A. To elevate the communication between individual Boards and Council and to even the flow of information, the Council may meet with the Council-appointed Boards at a Study Session at least yearly, or on an as-needed basis as requested by the Board/Commission or the City Council.
- B. To facilitate positive relations between the Boards and the Council, the Mayor may appoint a Council liaison to the Fine Arts Board, Library Board, and Museum Board. The Council may, at its sole discretion, choose to appoint liaisons to other Boards and Commissions as it deems appropriate. The role of the liaison shall be to convey current and relevant information on Council activities to the individual Board or Commission; to provide input as requested; and generally provide a conduit of Council activity and actions.

IX. Council/Board and Commission Conduct With the Public

- A. Council/Boards should be cordial, welcoming, and respectful to the public in all situations.
- B. Council/Boards should be welcoming and respectful to speakers without exception.
- C. If necessary, public comments received during a public meeting will be followed up by staff at a later time or as directed by the Council/Board. It is not anticipated nor expected for staff to respond during that meeting unless specifically requested by the Council/Board.
- D. Questions from the Council/Board to speakers should seek to clarify or expand information. Members should avoid challenging or criticizing speakers. If a speaker is off the topic or exhibits behavior or language that is disruptive or disrespectful, the Mayor

or Chair should interrupt, focus the speaker, and reestablish the order and decorum of the meeting.

X. Personal Expectations

A. Responsibility.

1. I understand that the community expects me to serve with dignity and respect and be an agent of the democratic process.
2. I avoid actions that might cause the public to question my independent judgment.
3. I do not use my office or the resources of the City for personal or political gain.
4. I am a prudent steward of public resources and actively consider the impact of my decisions on the financial and social stability of the City and its citizens.

B. Fairness.

1. I promote consistency, equity and non-discrimination in public agency decision-making.
2. I make decisions based on the merits of an issue, including research and facts.
3. I encourage diverse public engagement in decision-making processes and support the right of the public to have access to public information concerning the conduct of the City's business.

C. Respect.

1. I treat my fellow City officials, staff, commission members and the public with patience, courtesy, civility, and respect, even when we disagree on what is best for the community and its citizens.

D. Integrity.

1. I am honest with all elected officials, staff, commission members, boards, and the public.
2. I am prepared to make decisions for the best interest of the public whether those decisions are popular or not.
3. I take responsibility for my actions even when it is uncomfortable to do so.



City of Littleton

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2255 West Berry Avenue
Littleton, CO 80120

Staff Communication

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