

CITY OF LITTLETON
UNIFIED LAND USE CODE RECOMMENDATIONS
FOR ACCESSORY DWELLING UNITS
Next Generation Advisory Committee



1 Introduction

To Mayor Jerry Valdez and the City Council of Littleton,

Thank you for the opportunity to allow the Next Generation Advisory Committee (NGAC) to provide comment and feedback on the newly developed Unified Land Use Code (ULUC) for the City of Littleton (City). Select members of the NGAC have developed an outline on proposed regulations pertaining to Accessory Dwelling Units (ADUs) specifically; both in points of clarification as well as recommendations on alterations of the intent and language surrounding ADU code.

With regards to City's procedures in the development of the ULUC, several points should be noted for future community feedback mechanisms.

- The timeframe given to the public for feedback on the ULUC is too short. While the Envision Littleton website and studios were the driving point of public engagement for the development of many parts of the ULUC, the comment period on the actual text of the ULUC is limited to just over six weeks. It is the feeling of the NGAC that this comment period is too compact to allow for an in-depth read of the practical application of the principals developed during the Envision process and does not allow homeowners and business owners adequate time to review and provide feedback on many practical changes to their neighborhoods.
- The comment forum on the ULUC is poorly designed and not accessible to members of the public who may be limited in their capacity to online commenting. The format/structure of the comment mechanism is poor and should be reconsidered. The process whereby a member of the public can comment on specific sections of the code is likely beyond the technical abilities of many residents that may bring up specific issues within the document.
- No updated zoning map was released to the public in conjunction with the code, which limits the public's ability to determine the precise impact on their own neighborhood or town and limits the understanding of the effectiveness of provisions in the code. Specifically, the NGAC was able to comment on the generalized structure of where ADUs may be applicable but cannot frame these recommendations on the specific neighborhood zoning locations. It is a significant mistake to have released the code and map separately in this feedback process.

2 Purpose and Need

The purpose of the NGAC commenting on the ADU Section of the ULUC is to provide the unique viewpoint of members of the community who represent the growing younger demographic in the City. NGAC will address the ADU section of the ULUC within the larger context of housing affordability, focusing specifically on the attraction and retention of a diverse group of peoples to the City of Littleton.

Communities across the state of Colorado can require affordable housing, to own or to rent, on new developments. Dedicated affordable housing units are created through public assistance and public-private partnerships and are essential for ensuring the affordability in neighborhoods. Dedicated affordable housing encourages inclusive and diverse communities, bringing economic sustainability to the City. ADUs are one of many avenues that can drive dedicated affordable housing. ADUs can help promote:

- Individual economic growth within households
- Increased available short and long-term rental properties
- Economic growth in the region, as individual income is no longer dedicated to housing costs

- Helps to lessen pre-existing inequities, as more low-income individuals and families can gain access to local jobs, transportation, and public resources
- Provides greater options for affordable senior living

3 ULUC Code Recommendations

ULUC Section Reference #	Recommendation
Table 10-1-1.3	<ul style="list-style-type: none"> • The proposed code only allows for estate and large lot residential to have ADUs; medium/small lots may have them only if there is an adjoining alleyway, which severely limits the total locations. The alleyway restriction for small and medium residential lots should be removed. • The Downtown Transition Area (DTA) should allow for attached ADUs. If the intention of zoning is to be “pedestrian oriented” while “accommodating a moderately higher density” (according to the quoted description from Table 10-1-1.1.1), the DTA area should allow for increased density through ADUs, which would have enormous benefit to economic activity in the downtown area (short-term rentals for tourism, long-term rental for service staff within downtown businesses). • The Conditional Use Standard (CS) approval process for residential zoning areas Large Lot Residential (LLR), Medium Lot Residential (MLR), Small Lot Residential (SLR) should be changed to AS (approved with standards) (pending conformance with all other code). The discretion for administrative approval appears biased towards estate residential areas, which would not be as conducive to families and homeowners not as economically advantaged seeking approval to modify their property to increase housing density and increase their taxable income.
A	<ul style="list-style-type: none"> • While this introductory section of the ULUC is not specific to any application of the code, the intention of this section is to set tone and intent of the ADU code in the following sections. The NGAC disagrees that the purpose of the code is to “mitigate any adverse effects of an ADU on adjoining and nearby lots”. The purpose of implementing this portion of the code should be to increase housing density, affordability, and availability as part of a well-rounded set of living conditions for the City. The NGAC would request a re-write of this introductory paragraph to reflect these intentions.
C.3	<ul style="list-style-type: none"> • “In no case shall any rented dwelling unit be rented for a period of less than 31 days.” Individuals using their ADU as a short-term rental (STR) property (rental dwelling unit for a period of less than 31 days) must register for a STR permit with the City. In order that there remain an appropriate mix of both short and long-term rental properties, the NGAC suggests that permits be issued in an annual lottery system based on an appropriate mixture of rental pricing and capacity within the local market. Once an STR permit is issued, the permit number must be listed inside the STR unit as well as in any advertising. The City should consider an occupancy tax of 3% per individual reservation.
C.6.c	<ul style="list-style-type: none"> • Currently, STR properties require parking to be available to residents. Parking in suburban single-family residential districts is typically not an issue, and not requiring parking to be available even within a half-mile of a transit line seems to be unequal to those ADU residents. The NGAC recommends that the requirement for on-street parking to be available for all ADU residents regardless of rental period.
C.7.b.1	<ul style="list-style-type: none"> • The “appearance” of being multi-family housing can be extremely subjective from the vantage of a neighbor, so, this will likely be a cause for complaint or suppression of ADU additions to a home. In addition, the exclusion of multiple mailboxes may lead to mail tampering and long-term renters unable to control critical communication in their lives, as well as limits the ability to become a voter and access to other resources that require

	a separate address. Strike section entirely.
C.7.c.1	<ul style="list-style-type: none"> Remove requirement entirely or revise to allow an ADU to establish a mailing address by adding a letter to the primary address (For example: 333 Broadway, to read 333A Broadway). Long term renters establishing residency in the City will need to show a unique address separate from that of the primary homeowner. This will ensure autonomy of residents in ADUs and the security of their correspondence as well.

4 ULUC Code Questions

Code Sections Requiring General Clarification – NGAC Members have no proposed recommendation but find the below sections inadequate in communicating the city’s goals regarding ADUs and strongly suggest these sections provide better clarity in the wording or implementation in the final draft of the ULUC.

Reference Section in Code 10-1-1.7 ADU	Point of Clarification
B.1.C	“Internal ADUs are subject to the standards of this Section.” Poor definition of the Internal ADU; can use further clarity as to the type, size, extent, layout, orientation of Internal ADUs to which the Section applies.
B.2 Types of Approvals	Further clarity on the Conditional approval conditions for ADUs. More clearly define the “AS” (Approved with Standards) inserted directly in this Section as it pertains to the Director approval.
B.3.A	“3. The certificate of occupancy for the ADU shall be in effect only so long as either the principal dwelling or the ADU is occupied by the owner of record;” Does this registration as an ADU transfer upon sale?
Table 10-1-1.7.1 General ADU Standards	Placement – Requires the same setbacks as the principal dwelling. For “Detached” ADUs, indicates 5’. Is this 5’ in addition to the setback requirements as the principal dwelling?
Table 10-1-1.7.1 General ADU Standards	Primary Entrance – Shared entrance with principal dwelling. For “Attached”, the designation is “–”. However, there are many designs/circumstances where “Y” would be the case. Is this indicating that a shared entrance with the primary building for an Attached ADU would not be allowed? Or is indicating that it would be?
C.5.b	“Any garage door shall be removed from a garage or other accessory building that is converted to an ADU, and the opening shall be treated and finished to match the principal dwelling.” If it’s an over garage unit rather than a full garage conversion, then would they need to remove the garage door? Would the homeowner be able to make the garage door non-functional so it still “looks” like a garage and better fits into the general requirement mentioned above?
C.5.c.3	This is already covered in the height restrictions and the sqft restrictions in table 10-1-1.7.2. Section is redundant.
C.5.d	Why would roof decks on detached ADUs be prohibited? Reasoning unclear.
C.6.b	“Covered or uncovered parking for an ADU may be in tandem with other required on-site parking.” The term “tandem” is unclear; does this indicate that vehicles may be double-parked (one vehicle immediately behind another)?

5 Conclusions and Other Recommendations

The NGAC appreciates the willingness of City Council to consider these recommendations for the health of our local economy and the long-term wellbeing of its residents. For some final generalized recommendations and thoughts from members of the NGAC, we hope that Council would consider the following when finalizing the draft ULUC:

- The NGAC vehemently supports the use and expansion of ADUs throughout the City. We hope that ADUs will provide a mixture of both short- and long-term housing options for residents. We would ask the City to also consider allowing STR's to be permitted in non-owner occupied properties.
- Given the constraints on land use, the City should consider allowing maximum of one ADU per residential lot.
- Consider requiring ADU permits/only allowing a certain amount of permitted ADU's per area that are allowed to be used as short-term rentals in order to allow for economic growth of the area while keeping housing rental availability and price accessible to lower income residents.
- The City should consider a grant program to encourage homeowners wishing to develop ADUs for designated affordable housing

Thank you for your time and consideration of these points, and we look forward to working with you to enact some of these recommendations.