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WHEREAS, additionally, the City has directed Kendig Keast Collaborative to start on the Downtown building block work product first and apply and incorporate those changes into the City’s existing code which is expected to be completed and adopted by Council in October of 2020; and

WHEREAS, City Council approved Ordinance 05-2020 on February 5, 2020, which imposed a temporary moratorium of 90 days on any new development containing more than one residential unit within the Downtown Littleton area as set forth in the Design Standards including the submission, acceptance, processing, or approval of any site development plans, demolition permit, applications or plan approvals or other types of approval by the City related to such activities is reasonable in time, scope, and location; and

WHEREAS, Kendig Keast Collaborative needs more time to complete the Downtown building block and apply it to the City’s Code as such it is necessary to extend the moratorium for an additional 150 days, which will allow the City the time needed to enact appropriate regulations for the protection of the public health, safety and welfare as it relates to the Downtown Littleton area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The foregoing recitals are hereby adopted by the City Council as findings in support of the adoption of this Ordinance.

Section 2: The City Council further finds and declares that:

- a. The City’s current laws, ordinances, rules and regulations may not adequately address the issues and challenges associated with protecting the character of the Downtown Littleton area as it relates to new development consisting of more than one residential unit; and
- b. The City may suffer irreparable harm if an extended temporary moratorium, as herein described, is not imposed to prevent land-use activities detrimental to the character of the Downtown Littleton area being pursued prior to the implementation of permanent regulations; and
- c. This ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and welfare of the City of Littleton and the inhabitants thereof; and
- d. The duration of the extended moratorium imposed by this Ordinance is reasonable in length and is no longer than is required for the City to properly investigate,

87 develop, and, if appropriate, adopt and implement any regulations deemed necessary with
88 respect to the subject matter addressed herein; and

89
90 e. Property owners within the area subject to this Ordinance and desiring to engage
91 in land-use activities prohibited herein, will not be unfairly prejudiced by the imposition of
92 the short, temporary moratorium imposed by this Ordinance.

93
94 **Section 3:** Upon the effective date of this Ordinance, an extended moratorium is
95 imposed on any new development containing more than one residential unit within the
96 Downtown Littleton area as set forth in the Design Standards as more specifically
97 delineated in Exhibit A, attached hereto and incorporated herein, including the submission,
98 acceptance, processing, or approval of any site development plans, demolition permit,
99 applications or plan approvals or other types of approval by the City related to such
100 activities, excepting building permits related to already approved site development plans.
101 The City staff and all applicable commissions, boards, departments, divisions, and
102 representatives are directed to refuse to accept for filing, and not to process or review, any
103 such new applications during the moratorium period.

104
105 **Section 4:** Before the expiration of the extended moratorium imposed by this
106 Ordinance, City staff shall continue to investigate the matters addressed herein and all
107 reasonable options including but not limited to: amending zoning regulations; amending or
108 modifying existing Design Standards; amending Operational Standards; or taking such
109 other steps as deemed appropriate or as may be further directed by City Council and the
110 City Manager.

111
112 **Section 5:** The City Council hereby finds, determines and declares that it has the
113 power to adopt this Ordinance pursuant to: (i) the Local Government Land Use Control
114 Enabling Act, Article 20 of title 29, C.R.S.; (ii) Part 3 of Article 23 of title 31, C.R.S.
115 (concerning municipal zoning powers); (iii) Section 31-15-103, CR.S. (concerning
116 municipal police powers); (iv) Section 31-15-40, CR.S.(concerning municipal police
117 powers); (v) the authority granted to home rule municipalities by Article XX of the
118 Colorado Constitution; (vi) Colorado case law; and (vii) the powers contained in the
119 Littleton Charter and the Littleton City Code.

120
121 **Section 6:** Severability. If any part, section, subsection, sentence, clause or
122 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect
123 the validity of the remaining sections of this ordinance. The City Council hereby declares
124 that it would have passed this ordinance, including each part, section, subsection, sentence,
125 clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections,
126 sentences, clauses or phrases may be declared invalid.

127
128 **Section 7:** This ordinance shall become effective 7 days after passage and shall
129 expire one hundred fifty (150) days thereafter, unless sooner or repealed or extended by a

130 duly adopted ordinance of the city council.

131
132 **Section 8:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
133 with this ordinance are hereby repealed, provided that this repealer shall not repeal the
134 repealer clauses of such ordinance nor revive any ordinance thereby.

135
136
137 INTRODUCED AS AN ORDINANCE at a regularly scheduled meeting of the
138 City Council of the City of Littleton on the 21st day of April, 2020, passed on first reading by a
139 vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis
140 Library, the Municipal Courthouse and on the City of Littleton Website.

141 PUBLIC HEARING on the Ordinance to take place on the 5th day of May, 2020,
142 in the Council Chamber¹, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the
143 hour of 6:30 p.m., or as soon thereafter as it may be heard.

144 PASSED on second and final reading, following public hearing, by a vote of
145 FOR and _____ AGAINST on the 5th day of May, 2020 and ordered published by posting at
146 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

147 ATTEST:

148 _____
149 Colleen L. Norton
150 CITY CLERK

Jerry Valdes
MAYOR

151 _____
152 Reid Betzing
153 CITY ATTORNEY



1 ¹ 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 council chamber until further notice.