

44
45 **WHEREAS**, Section 41 of the Littleton City Charter allows for emergency
46 ordinances for the preservation of public property, health, peace or safety; and
47

48 **WHEREAS**, until the Map Amendments are officially adopted the Phase II
49 amendments will be ineffective which could lead to continuing change of the downtown area
50 thereby effecting public property, health, peace and safety of its citizens.
51

52 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**
53 **THE CITY OF LITTLETON, COLORADO, THAT:**
54

55 **Section 1:** The foregoing recitals are hereby adopted by the City Council as
56 findings in support of the adoption of this Ordinance.
57

58 **Section 2:** The City Council further finds and declares that:
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60 a. The City’s current laws, ordinances, rules and regulations do not adequately
61 address the issues and challenges associated with protecting the public property, health,
62 peace, safety of the City and character of the Downtown Littleton area as it relates to new
63 development; and
64

65 b. The City may suffer irreparable harm if an emergency moratorium, as herein
66 described, is not imposed to prevent land-use activities detrimental to public property,
67 health, peace, safety and character of the Downtown Littleton area being pursued prior to
68 the implementation of permanent regulations; and
69

70 c. This ordinance is necessary and proper to provide for the safety, preserve the
71 health, promote the prosperity, and welfare of the City of Littleton and the inhabitants
72 thereof; and
73

74 d. The duration of the extended moratorium imposed by this Ordinance is
75 reasonable in length and is no longer than is required for the City to properly provide notice
76 and due process to property owners affected by the subject matter addressed herein; and
77

78 e. Property owners within the area subject to this Ordinance and desiring to engage
79 in land-use activities prohibited herein, will not be unfairly prejudiced by the imposition of
80 the short, temporary moratorium imposed by this Ordinance.
81

82 **Section 3:** Upon the effective date of this Ordinance, a moratorium is imposed on
83 any new development within the Downtown Littleton area as set forth in Figure 10-2-18 -
84 Character Area Map in the Phase II Amendments relative to Downtown development, as
85 more specifically delineated in Exhibit A, attached hereto and incorporated herein,
86 including the submission, acceptance, processing, or approval of any site development

87 plans, demolition permit, applications or plan approvals or other types of approval by the
88 City related to such activities, excepting building permits related to already approved site
89 development plans. The City staff and all applicable commissions, boards, departments,
90 divisions, and representatives are directed to refuse to accept for filing, and not to process
91 or review, any such new applications during the moratorium period.
92

93 **Section 4:** The emergency moratorium imposed by this Ordinance shall commence
94 as of the effective date of this Ordinance, and shall expire in 90 days, unless extended or
95 sooner repealed.
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97 **Section 5:** Before the expiration of the emergency moratorium imposed by this
98 Ordinance, City staff shall provide notice to those properties within the DT zone and 4
99 character areas in order to provide due process prior to the Map Amendments being
100 adopted.
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102 **Section 6:** The City Council hereby finds, determines and declares that it has the
103 power to adopt this Ordinance pursuant to: (i) the Local Government Land Use Control
104 Enabling Act, Article 20 of title 29, C.R.S.; (ii) Part 3 of Article 23 of title 31, C.R.S.
105 (concerning municipal zoning powers); (iii) Section 31-15-103, CR.S. (concerning
106 municipal police powers); (iv) Section 31-15-40, CR.S.(concerning municipal police
107 powers); (v) the authority granted to home rule municipalities by Article XX of the
108 Colorado Constitution; (vi) Colorado case law; and (vii) the powers contained in the
109 Littleton Charter; Littleton City Charter Section 41; and the Littleton City Code.
110

111 **Section 7:** Severability. If any part, section, subsection, sentence, clause or
112 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect
113 the validity of the remaining sections of this ordinance. The City Council hereby declares
114 that it would have passed this ordinance, including each part, section, subsection, sentence,
115 clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections,
116 sentences, clauses or phrases may be declared invalid.
117

118 **Section 8:** This ordinance shall become effective 7 days after passage and shall
119 expire ninety (90) days thereafter, unless sooner or repealed or extended by a duly adopted
120 ordinance of the city council.
121

122 **Section 9:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
123 with this ordinance are hereby repealed, provided that this repealer shall not repeal the
124 repealer clauses of such ordinance nor revive any ordinance thereby.
125
126

127 INTRODUCED AS AN EMERGENCY ORDINANCE and adopted at a regularly
128 scheduled meeting of the City Council¹, of the City of Littleton on the 6th day of October, 2020,

129 by a vote of ___ FOR and ___ AGAINST; and ordered published by posting at Littleton Center,
130 Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

131

132 ATTEST:

133 _____
134 Colleen Norton
135 CITY CLERK

Jerry Valdes
MAYOR

136
137 _____
138 Reid Betzing
139 CITY ATTORNEY

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¹ *Due to COVID19, 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.*