

1 **CITY OF LITTLETON, COLORADO**

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3 **ORDINANCE NO. 10**

4  
5 **Series, 2019**

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7 **INTRODUCED BY COUNCILMEMBERS: VALDES & COLE**

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9 **ORDINANCE 10-2019: FIRST INTRODUCTION AMENDING TITLE 1,**  
10 **CHAPTER 14 REGARDING LAND DEVELOPMENT IMPACT FEES**  
11 **AND DIRECTING PUBLICATION OF THE ORDINANCE AND**  
12 **SETTING A PUBLIC HEARING.**

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14 **WHEREAS**, the imposition of impact fees which are defined as land  
15 development fees under Colorado Revised Statutes is a financial matter and more appropriately  
16 placed in the administrative title of the City Code; and

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18 **WHEREAS**, the city is subject to the provisions of Title 29, Colorado Revised  
19 Statutes pertaining to the imposition of charges for land development as the legislature has  
20 exercised its power of preemption under the Colorado Constitution; and

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22 **WHEREAS**, the city has retained BBC consulting to evaluate its impact fees for  
23 museum, library, police and facilities to insure that the maximum supportable fee is imposed to  
24 cover the full cost of capital facilities resulting from the development of new service units caused  
25 by new development; and

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27 **WHEREAS**, the city intends that such fees only cover the full cost of capital  
28 facilities resulting from the development of new service units caused by new development and  
29 such fees are not intended to be a tax under the Taxpayer Bill of Rights in Article X of the  
30 Colorado Constitution.

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

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36 **Section 1:** Subsection B of title 1, chapter 14 of the Littleton City Code is hereby  
37 revised as follows:

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39 **1-14-3: GENERAL REGULATORY REQUIREMENTS:**

40 (A) Land Development Impact Fee Payment: Any person engaged in land development in the  
41 city shall pay the land development impact fee described in subsection (B) of this section.

42 (B) Impact Fee Rate: Land development impact fees shall be assessed and collected according to  
43 the standards of this chapter and the following rates:

Use	Land Development Impact Fee Rate						Total
	Fire	Museum	Library	Police	Facilities	Transportation	
Residential (per dwelling unit)	\$0	<del>\$515.00</del> \$602.00	<del>\$542.00</del> \$568.00	<del>\$319.00</del> \$399.00	<del>\$1,550.00</del> \$1,904.00	\$1,049.00	<del>\$3,975.00</del> \$4,522.00
Nonresidential (per sq. ft.)	\$0	\$0.00	\$0.00	<del>\$0.160</del> \$0.210	<del>\$0.775</del> \$1.010	\$2.607	<del>\$3.542</del> \$3.827

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**Section 2:** Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

**Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the 19<sup>th</sup> day of March, 2019, passed on first reading by a vote of 7 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 2<sup>nd</sup> day of April, 2019, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of \_\_\_\_\_FOR and \_\_\_\_\_ AGAINST on the 2<sup>nd</sup> day of April, 2019 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

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ATTEST:

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Wendy Heffner  
CITY CLERK

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Debbie Brinkman  
MAYOR

APPROVED AS TO FORM:

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CITY ATTORNEY