



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Agenda

City Council

Tuesday, June 14, 2016

6:30 PM

Community Room

Study Session/Special Meeting

1. Study Session

- a) Urban Renewal Authority Follow Up with Planning Board and LIFT

2. Special Meeting

3. Roll Call

4. Emergency Ordinance

- a) [Ordinance 09-2016](#) An emergency ordinance imposing a temporary moratorium on the acceptance of new land use application for property located within the B-2 Community Business Zone District

Attachments: [Emergency Ordinance 9](#)
[Littleton B2 Zoning](#)

5. Executive Session

- a) [ID# 16-120](#) Executive session pursuant to C.R.S. 24-6-402(4)(b) and Section 27 of the City Charter, for the purpose of conferring with the city attorney and receiving legal advice regarding Case No. 2015CV32363, Burkett v. City of Littleton, et al.

6. 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 #: Ordinance 09-2016, **Version:** 1

Agenda Date: 06/14/2016

Subject:

An emergency ordinance imposing a temporary moratorium on the acceptance of new land use application for property located within the B-2 Community Business Zone District

Presented By: Michael Penny, City Manager

POLICY QUESTION:

Does city council support an emergency ordinance imposing a moratorium on the acceptance of new land use applications for property located within the B-2 Community Business Zone District?

BACKGROUND:

At the City Council meeting on April 7, 2016, Council directed staff to draft an emergency ordinance putting in place a 90-day moratorium along with a workplan to update the B-2 zoning regulations and on extending the duration of the moratorium. During the discussion of the motion, the decision was made to move the ordinance to June 14, 2016. Due to that timing, City Manager Penny stated it would not be possible to provide a workplan, nor a recommendation on the needed duration of the moratorium in that short time period.

STAFF ANALYSIS:

The 90-day moratorium will allow the city to develop a workplan for a comprehensive update of the B-2 zoning regulations. The moratorium is necessary to evaluate the uses and zoning restrictions within the B-2 zoning district and update them to ensure they are in alignment with community character and values. The B-2 designation spans a broad spectrum of area within the city and this work can identify if the areas designated as B-2 are appropriately designated.

The moratorium ordinance applies to land use applications submitted under 10-1-9, including rezonings, PDOs, and conditional uses, for property within, or seeking to be included within, the B-2 zone district. It is also applicable to site development plan applications under 10-7-2 and subdivision applications under 11-2-1, in the B-2 zone district. The moratorium is on the acceptance of preliminary applications that are "officially filed".

Staff will return within the 90-day moratorium with a comprehensive workplan and a timeline extension for the moratorium to complete the revision of the B-2 zoning district.

FISCAL IMPACTS:

None

STAFF RECOMMENDATION:

Staff recommends Council approve this emergency ordinance

PROPOSED MOTION:

I move to approve the emergency ordinance imposing a temporary moratorium on the acceptance of any new land use application for property located within the B-2 Community Business zone district.

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 9

Series, 2016

INTRODUCED BY COUNCILMEMBERS:

AN EMERGENCY ORDINANCE OF THE CITY OF LITTLETON, COLORADO, IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF ANY NEW LAND USE APPLICATION FOR PROPERTY LOCATED WITHIN, OR SEEKING TO BE INCLUDED WITHIN, THE B-2 COMMUNITY BUSINESS ZONE DISTRICT FOR A PERIOD OF NINETY (90) DAYS

WHEREAS, Section 41 of the City Charter authorizes the City Council to enact emergency ordinances for the preservation of public property, health, peace, or safety;

WHEREAS, the character of development activity in the City of Littleton is having a negative impact upon the health, peace, and safety of the residents of Littleton;

WHEREAS, recent land use applications do not appear to be consistent with the goals and vision of the community;

WHEREAS, the City Council and the Community Development Department require a period of time in which to review all existing land use codes and regulations as they affect land use development in the B-2 Community Business Zone District to ensure that all land use development proceeds in a manner that is consistent with the Comprehensive Plan;

WHEREAS the City Council desires that the staff of the Community Development Department conduct a thorough analysis and assessment of the City Code and regulations affecting the development of land within the B-2 Community Business Zone District with particular attention to ensure consistency with the Comprehensive Plan;

WHEREAS, a moratorium through an emergency ordinance on the acceptance of all development applications for the B-2 Community Business Zone District will enable a reasoned discussion and consideration of desired amendments to the City Code without creating a rush of development applications and the related impacts upon the community; and

WHEREAS, the City Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the

44 prosperity and improve the order of the City of Littleton and the inhabitants thereof;

45

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

48

49 **Section 1:** There is hereby imposed a temporary moratorium on the acceptance
50 by the Community Development Department of new land use applications for property within or
51 seeking to be included within the B-2 Community Business Zone District.

52

53 **Section 2:** A land use development application shall be defined for the purpose
54 of this ordinance as the preliminary application determined to be officially filed by the
55 Community Development Director, pursuant to Sections 10-1-9, 10-7-2 and 11-2-1 and of the
56 City Code. Applications officially filed after the effective date of this ordinance shall be subject
57 to the terms of this ordinance and of the City Code, as amended.

58

59 **Section 3:** It is hereby declared that, in the opinion of the City Council, an
60 emergency exists; there is a need for the preservation of public property, health, peace, or safety
61 of the City of Littleton; and this temporary moratorium adopted as an emergency ordinance
62 provides the time necessary to prepare a work plan for the review of all current land use
63 regulations and for the City Council and staff of the City of Littleton to consider amendments, if
64 any are required, to the City Code.

65

66 **Section 4:** This ordinance shall become effective immediately upon passage and
67 shall expire ninety (90) days thereafter, unless sooner or repealed or extended by a duly adopted
68 ordinance of the City Council.

69

70 **Section 5:** Severability. If any part, section, subsection, sentence, clause or
71 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
72 validity of the remaining sections of this ordinance. The City Council hereby declares that it
73 would have passed this ordinance, including each part, section, subsection, sentence, clause or
74 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,
75 clauses or phrases may be declared invalid.

76

77 **Section 6:** Repealer. All ordinances or resolutions, or parts thereof, in
78 conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the
79 repealer clauses of such ordinance nor revive any ordinance thereby.

80

81

82 INTRODUCED AS AN EMERGENCY ORDINANCE and adopted at a special

83 meeting of the City Council of the City of Littleton on the ___ day of _____, 2016, by a

84 vote of _____ FOR and _____ AGAINST on the ___ day of _____, 2016 and

85 ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and
86 on the City of Littleton Website.

87 ATTEST:

88 _____
89 Wendy Heffner
90 CITY CLERK

Bruce O. Beckman
MAYOR

91
92 APPROVED AS TO FORM:

93
94 _____
95 Kristin Schledorn
96 CITY ATTORNEY

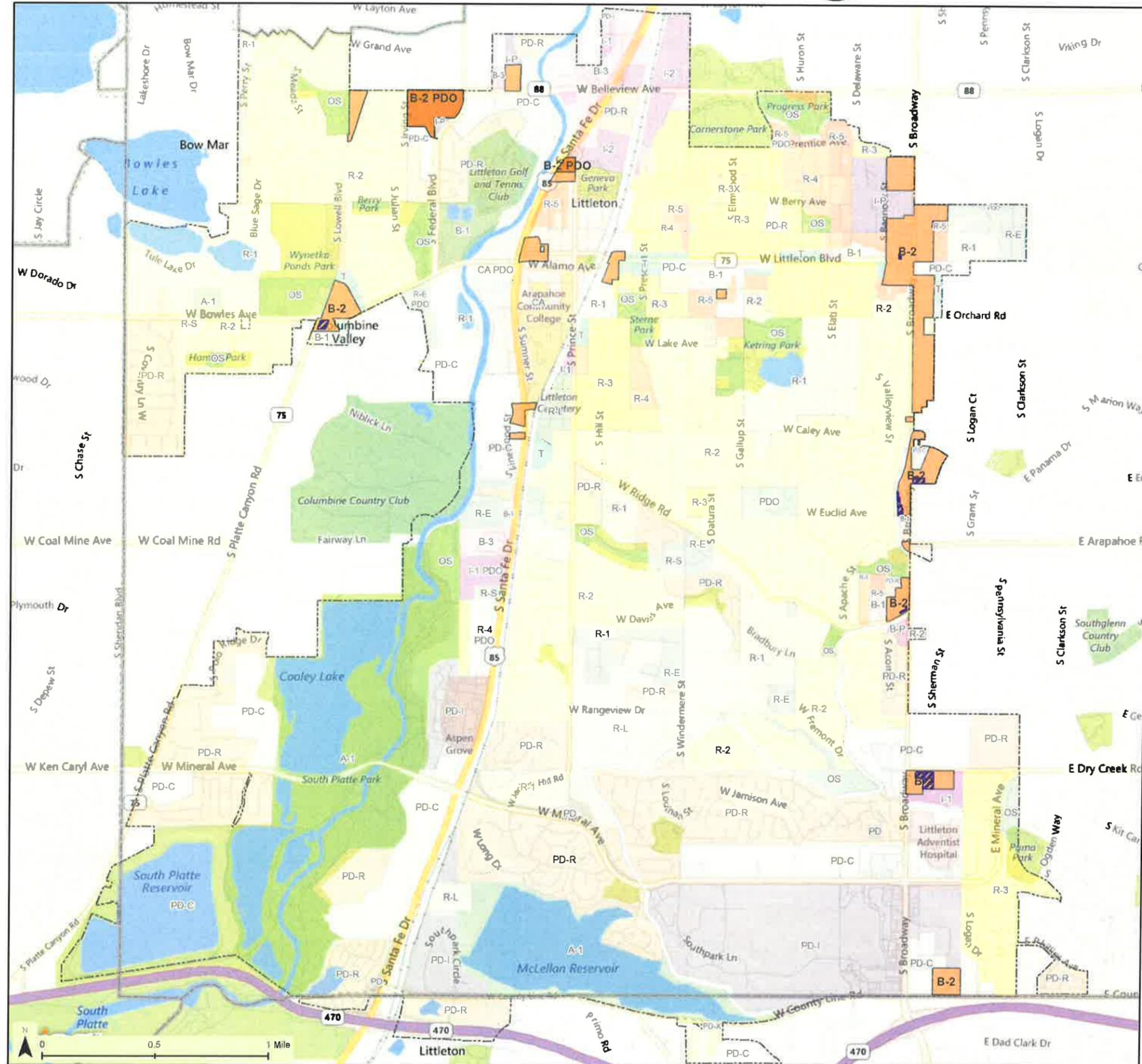
Littleton Zoning

Zoning Information

	B-2	185.4 Acres
	B-2 PDO	25.19 Acres
	Vacant Land on B-2/B-2 PDO	5.8 Acres

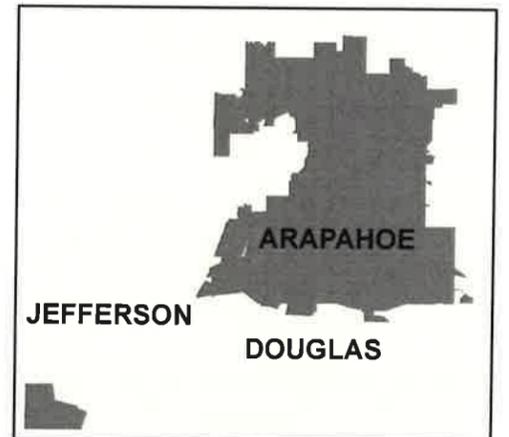
Zoning District

	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



Littleton

City of Littleton
2255 W Berry Ave
Littleton, CO 80120



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Prepared on 6/9/2016



Staff Communication

File #: ID# 16-120, **Version:** 1

Agenda Date: 06/14/2016

Subject:

Executive session pursuant to C.R.S. 24-6-402(4)(b) and Section 27 of the City Charter, for the purpose of conferring with the city attorney and receiving legal advice regarding Case No. 2015CV32363, Burkett v. City of Littleton, et al.

Presented By: Mayor Beckman

PROPOSED MOTION:

I move to convene in executive session pursuant to C.R.S. 24-6-402(4)(b) and Section 27 of the City Charter, for the purpose of conferring with the city attorney and receiving legal advice regarding Case No. 2015CV32363, Burkett v. City of Littleton, et al.