



# Legal Notice

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**Date:** 05/06/2021

**Subject:** An ordinance of the City of Littleton, Colorado approving a Development Agreement by and between the City of Littleton and Evergreen-Mineral & Santa Fe LLC, pertaining to vested property rights, together with referenced vesting plan for Santa Fe Park (RiverPark)

**Passed/Failed:** Withdrawn

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**CITY OF LITTLETON, COLORADO**

**ORDINANCE 05  
SERIES 2021**

1 CITY OF LITTLETON, COLORADO

2  
3 Ordinance 5

4  
5 Series, 2021

6  
7 AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO,  
8 APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN  
9 THE CITY OF LITTLETON AND EVERGREEN-MINERAL & SANTA FE,  
10 L.L.C., PERTAINING TO VESTED PROPERTY RIGHTS, TOGETHER  
11 WITH THE REFERENCED VESTING PLAN FOR SANTA FE PARK  
12 (RIVERPARK)

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14 WHEREAS, Colorado Revised Statutes, Title 24, Article 68 authorizes local  
15 government approval of vested property rights to ensure reasonable certainty, stability, and  
16 fairness in the land use planning process; and

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18 WHEREAS, Colorado Revised Statutes, Title 24, Article 68 authorizes local  
19 government approval of vested property rights to stimulate economic growth, secure the  
20 reasonable investment-backed expectations of landowners; and

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22 WHEREAS, Colorado Revised Statutes, Title 24, Article 68 authorizes local  
23 government approval of vested property rights to foster cooperation between the public and private  
24 sectors in the area of land use planning; and

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26 WHEREAS, the Littleton City Council adopted Ordinance No. 17-1992 amending  
27 Title 10 of the Littleton City Code to provide the procedures necessary to implement vested  
28 property rights as established by Colorado state law; and

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30 WHEREAS, the city council finds that the property is eligible, the application is  
31 complete, and the submission, notice, and public hearing requirements have been met; and

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33 WHEREAS, on April 20, 2021, the Littleton City Council held a public hearing  
34 on the proposed application for vested property rights; and

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36 WHEREAS, the city council finds that the application is consistent with and  
37 subject to the provisions of the Littleton City Code, Title 10, Chapter 13.

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

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42 **Section 1:** The city council does hereby approve and authorize full execution  
43 of the Development Agreement Pertaining to Vested Property Rights for Santa Fe Park  
44 (RiverPark), as fully incorporated herein and attached hereto as Exhibit A (“Agreement”) and  
45 Exhibit B (“Vesting Plan”) with the following condition:

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Any changes made to the PD Amendment associated with Ordinance 04-2021 be properly reflected in the Vesting Plan prior to the vesting plan being recorded.

**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 6<sup>th</sup> day of April, 2021, 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 20<sup>th</sup> day of April, 2021, in the Council Chamber<sup>1</sup>, 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.

CONTINUED to a date certain, May 4, 2021, for second reading and public hearing.

PASSED on second and final reading, following public hearing, by a vote of \_\_\_ FOR and \_\_\_ AGAINST on the 4<sup>th</sup> day of May, 2021 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

74 \_\_\_\_\_  
75 Colleen L. Norton  
76 CITY CLERK

\_\_\_\_\_  
Jerry Valdes  
MAYOR



77 APPROVED AS TO FORM:

78 \_\_\_\_\_  
79 Reid Betzing  
80 CITY ATTORNEY

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*<sup>1</sup> 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. Citizens and participants will be limited to virtual participation until further notice.*

WITHDRAWN