



Nederland Planning Commission

AGENDA

Wednesday, October 29th, 2010 ~ 7:00 pm
Nederland Community Center
750 Highway 72 North

1) Call to Order

2) Roll Call

3) Approval of minutes from July 21, 2010

4) Action Items

- a. Final Plat - Titterington Estates, 4-lot subdivision
- b. Special Review Use Application - Public hearing for a short term RV, tour bus & construction vehicle parking at 171 & 173 West First Street

5) Discussion Items

- a. Consideration of Municipal Code change to allow chickens in Town
- b. Review of the working draft of the Town's medical marijuana ordinance as written by the Mayor's Task Force on Medical Marijuana.
- c. Nederland Comprehensive Plan

6) Other Business

7) Adjournment



Nederland Planning Commission

MINUTES

Wednesday, July 21st, 2010 ~ 7:00 pm
Nederland Community Center
750 Highway 72 North

1) Call to Order

The Chairman called the meeting to order at 7:10PM.

2) Roll Call

Present: Commissioners D. Mueller, M. Osterloo, Chairman B. Martin and Trustee K. Mueller.

Absent: D. Jackson

3) Approval of minutes

There were no minutes to approve.

4) Public Comment, Petitions, and Communications

None

5) Action Items

a. R.I.N.K. Proposed Bathroom Addition to Existing Garage

Allen Brewer, 907 CR 126, spoke on behalf of the R.I.N.K. Board and explained the proposed bathroom addition to the existing garage space. Mr. Brewer told the PC that the bathroom was part of the initial proposal approved in 2005, and at this point, R.I.N.K. would simply like approval to proceed with it.

Trustee Mueller asked about how the utilities would be engineered and strongly suggested economically and ecologically-friendly

choices for fixtures, including a low-flow, waterless urinal, a dual-flush toilet, etc. Mr. Brewer agreed that R.I.N.K. would do its best to make sustainable choices when constructing the bathroom.

A motion was made by Commissioner Osterloo to grant approval of the R.I.N.K. plan with Trustee Mueller's recommendations included, seconded by Commissioner Mueller, and unanimously passed.

6) Discussion Items

a. Zoning for Medical Marijuana Businesses

Brian Goldkamp, who lives next door to a local grow operation in Town, talked to the Commission about the annoyances of living near a grow operation, including foul smells, loud and constant noises, and the aesthetic nuisance of the various vents and fans.

Cathleen Chippi, Magnolia Star Route, commented on the need for Nederland to change the zoning distinctions currently in State law, but expressly allowed to be changed by municipalities. Under the State's current zoning restrictions, every medical marijuana business in Town would have to close.

The Commissions discussed different approaches to regulating the location of the medical marijuana businesses, and recognized that the three types of businesses – commercial kitchen, grow operations, and medical marijuana centers (MMCs) – likely require different approaches. They also considered the current reading of the Code and determined that much of the needed zoning restrictions were already contained therein. Finally, the Commissioners agreed that it was in the Town's interest to limit

the number of MMCs that operate within Town limits, and directed Staff to develop guidelines with that in mind, but to set the number at the current number of businesses or higher, so as not to put any already-operating MMCs out of business. The PC further directed Staff to evaluate the distance restrictions and make similar recommendations. The Commissioners would like to see the results of the Mayor's Task Force on Medical Marijuana.

b. Consideration of Municipal Code Change to Allow Chickens in Town

Town Clerk Teresa Myers explained that some Residents felt strongly that it was economically and ecologically sound policy to permit people to raise their own food in Town. Other Residents feel equally strongly that chickens are noisy and smelly and attract predators. Therefore, the debate has prompted review by the PC.

The Commissioners discussed the benefits and drawbacks to having hen chickens in Town, and reviewed the current Code for guidance. It was agreed that the Code presently prohibits hens; although it does not expressly say so, the spirit of the ordinance points to "pets" as animals that a family might name and cuddle and make a part of their family, unlike livestock, which is raised primarily for their food source.

Trustee Mueller talked about Longmont's chicken hen ordinance and suggested that it might serve as a good model for Nederland to work from.

The Commissioners agreed that they were inclined to allow chickens within Town limits, subject to various restrictions. They

directed Staff to conduct further research and return with recommendations for the PC.

c. Nederland Comprehensive Plan

The Commissioners decided to table additional work on the Comprehensive Plan until the next meeting, given the late hour and long discussions.

7) Other Business

None

8) Adjournment

It was moved, seconded, and unanimously approved to adjourn at 9:00 PM

Approved by the Planning Commission,

Bill Martin, Chair, Planning Commission

ATTEST:

Teresa Myers, Town Clerk



**AGENDA INFORMATION
MEMORANDUM
TOWN OF NEDERLAND
PLANNING COMMISSION**

Meeting Date: October 27th, 2010

Initiated By: /s/ Alisha Reis
Dept: Planning & Zoning
Action X Discussion

AGENDA ITEM:

Final Plat – Titterington Estates 4-lot subdivision

SUMMARY:

The applicant has submitted a final plat for a four-lot subdivision at the western-most portion of First Street that gives way to a private road. All final plat requirements contained in Municipal Code Sections 17-28 and 17-29 have been met via the attached plat maps and written statement.

HISTORY AND PREVIOUS COMMISSION ACTION:

Preliminary plat of the subdivision was approved March 31, 2010 at the Board of Trustees, following a recommendation with conditions by the Planning Commission on March 24, 2010. The Planning Commission's conditions included: 1) maintaining the existing private roadway at its current width of 20 feet, 2) a requirement that the four lots not be further subdivided, and 3) that an additional fire hydrant on West First Street be installed to augment fire protection capabilities. Minutes also called for later rezoning one lot, which was split-zoned.

RECOMMENDATIONS:

As all requirements for subdivision review have been met, the application may be considered for recommendation of approval to the Board of Trustees.

ALTERNATIVES:

- 1) Recommend approval of the final plat to the Board of Trustees
- 2) Require additional conditions or review of the final plat
- 3) Recommend denial of the final plat to the Board of Trustees

ATTACHMENTS:

Plat map, site map, utility plan, written statements

FINANCIAL CONSIDERATIONS:

Town water and sewer mains are installed for tapping near the site, with one tap already existing. The applicant is responsible for the cost of further tapping into main utilities.

Titterington Estates Final Plat Code Questions

Section 17-28 (5): Each lot will have a deeded easement over the existing private road which is W 1st St. to Jefferson.

Section 17-28 (9): A revegetation and erosion plan will be addressed with the development of each lot according to building permit requirements. There is no excavation required at this time.

Section 17-28 (10) (g): The existing private road way will be maintained at 20' in a manner acceptable to the Town of Nederland.

Section 17-28 (10) (j): Four single-family dwelling are anticipated for the four lots. One dwelling already exists, measuring about 2,000 sf.

Section 17-28 (10) (l): All lots will have at least three off-street parking spaces.

Section 17-28 (10) (o), (m): The timeline for development will be the summer of 2011 for a 1,000 sq ft home on Lot 1, with an estimated cost of \$250,000. Lots 2 and 4 will be developed in the following years. All lots will be developed with owner financing.

Section 17-28 (10) (q): Removal of solid waste will be the responsibility of the property resident, as required by Nederland Municipal Code Section 7-54)

Section 17-28 (10) (r): Town water and sewer is already present on the property. Xcel Energy and Qwest Communications have agreed to extend services. (See attached letters).

Section 17-28 (11) (b) (1): Water and sewer utilities are already installed. Drainage flows into the ditch on the north side of the existing private road.

Conditions from the Planning Commission

- The road will be 20 feet in width.
- Lots cannot be subdivided further, a condition that will be included as a condition of each property's deed.
- A fire hydrant will be installed with development of the first house. (Section 17-28 (10) (p))

October 4, 2010

Ed Ranegar

Re: Will serve letter for Titterington Estates

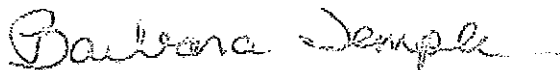
Dear Ed,

In accordance with our tariffs filed with and approved by the Colorado Public Utilities Commission, Gas and Electric facilities can be made available to serve your project at the Titterington Estates.

Service will be provided after engineering is completed, payment is received, any easements are signed and construction can be completed. We will have better information available after design has been completed as to a scheduled in-service date.

If I can be of further assistance, please contact me at 303 245-2226

Sincerely,



Barbara Temple
Planner, Boulder Engineering
2665 N 63rd St
Boulder, CO 80301



NEDERLAND FIRE PROTECTION DISTRICT
P.O. BOX 155
NEDERLAND, CO 80466
PH: (303) 258-9161 FAX: (303) 258-9162

Town of Netherland
Planning Committee
Re: Ranegar Subdivision

To Whom It May Concern:

This letter is in reference to the review of the proposed Ranegar Subdivision located on West 1st St in Netherland. After reviewing the plans using 2006 International Fire Code as a reference, and meeting with Ed Ranegar on site, the following requirements will be made at this point in the project:

1. An additional Fire Hydrant will be required approx. 500-600 feet from the last existing hydrant on W. First St. This would place the hydrant on the southern side of the existing turnaround, giving access to all proposed driveways to the four lots.
2. All driveways longer than 150 feet in length will require a 96 ft diameter Cul de Sac or 120 ft Hammerhead, per 2006 IFC standards as well as Boulder County Emergency Access requirements. All driveways longer than 400 ft in length will require a pull off on one side to allow passage of emergency vehicles.
3. Due to its "urban interface" location, wildfire mitigation will have to be conducted per Boulder Counties wildfire mitigation requirements.

Netherland Fire Protection District reserves the right to make amendments to these requirements as the project proceeds. If you have any questions, please contact me at the above telephone number.

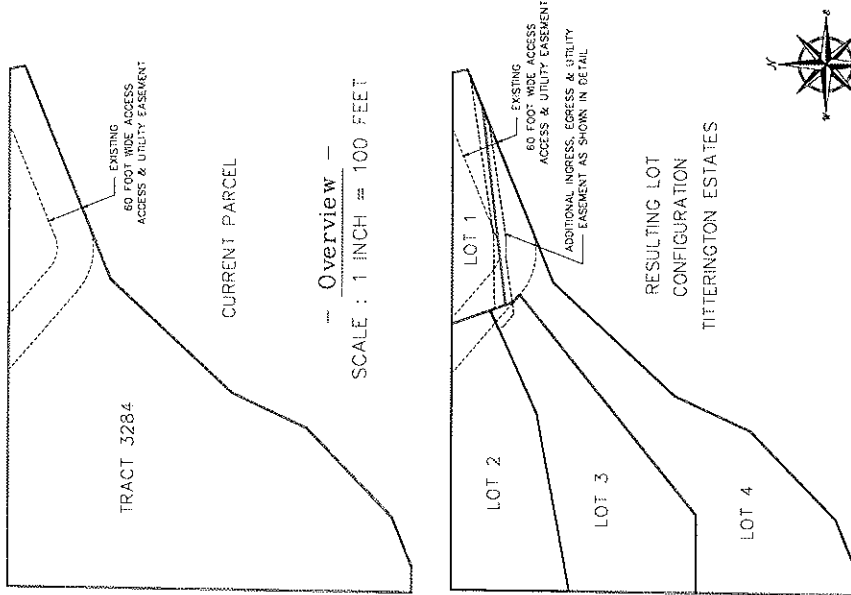
Sincerely

Pete Oxnard
Fire Inspector

TITTERINGTON ESTATES

a minor subdivision located in the southwest 1/4 of Section 13 Township 1 South, Range 73 West of the 6th P.M. Town of Nederland, Boulder County, Colorado

274,966 SQUARE FEET OR 6.3 ACRES, MORE OR LESS - SHEET 1 OF 2



Overview
SCALE : 1 INCH = 100 FEET

Certificate of Dedication and Ownership - KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, EDWARD L. RANEGAR AND SHEILA M. RANEGAR, ARE THE OWNERS OF CERTAIN LANDS IN THE TOWN OF NEDERLAND, BOULDER COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 73 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 73 WEST OF THE 6TH PRINCIPAL MERIDIAN, THENCE S 87°54' E, 154.33 FEET; THENCE S 87°37' E, 307 FEET; THENCE S 89° 00' 00" E, 79.87 FEET TO A POINT OF BEGINNING; THENCE S 89° 00' 00" E, 79.87 FEET TO A POINT OF BEGINNING; THENCE TO JOSEPH M. SWAIN AND IRENE SWAIN BY DEED RECORDED IN BOOK 872, PAGE 724 OF THE BOULDER COUNTY RECORDS, SAID TRACT HEREINAFTER REFERRED TO AS THE SWAIN TRACT; THENCE WEST 387 FEET ALONG THE SOUTH LINE OF SAID SWAIN TRACT TO THE TRUE POINT OF BEGINNING;

THENCE S 17° E, 294.74 FEET; THENCE S 68° W, 384 FEET; THENCE S 43° W, 168 FEET; THENCE S 89° 00' 00" E, 79.87 FEET TO A POINT OF BEGINNING; THENCE S 89° 00' 00" E, 79.87 FEET TO A POINT OF BEGINNING; THENCE TO THE WEST LINE OF SAID SECTION 13, THENCE NORTHERLY 670 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 13 TO THE SOUTHWEST QUARTER CORNER OF SAID SECTION 13, THENCE NORTHERLY 670 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF SAID SWAIN TRACT TO THE TRUE POINT OF BEGINNING.

THAT THE UNDERSIGNED HAVE BY THESE PRESENTS LAID OUT, PLATED, AND SUBDIVIDED THE PARCEL UNDER THE NAME OF "TITTERINGTON ESTATES", A MINOR SUBDIVISION, AS SHOWN ON THIS PLAT, AND DO HEREBY DEDICATE TO THE TOWN OF NEDERLAND, THE UTILITY EASEMENTS SHOWN HEREON FOR UTILITY PURPOSES.

THE UNDERSIGNED HEREBY FURTHER DEDICATES TO THE PUBLIC UTILITIES THE RIGHT TO INSTALL, MAINTAIN AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES TO PROVIDE ELECTRICITY, GAS, WATER, SEWER, TELEPHONE, CABLE TELEVISION, AND CONTIGUOUS THEREOF, UNDER, UNDER, ALONG AND ACROSS PUBLIC WAYS, INCLUDING BUT NOT LIMITED TO, ROADS, STREETS, LANES AND DRIVES AS SHOWN HEREON, AND ALSO UNDER, ALONG AND ACROSS EASEMENTS AS SHOWN HEREON.

EXECUTED THIS _____ DAY OF _____, 2010.

EDWARD L. RANEGAR
SHEILA M. RANEGAR

Acknowledgement - STATE OF COLORADO)
COUNTY OF BOULDER) SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2010, BY EDWARD L. RANEGAR AND SHEILA M. RANEGAR, OWNERS OF THAT REAL PROPERTY DESCRIBED AS "TITTERINGTON ESTATES". WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

Title Certificate -

AS AUTHORIZED AGENT FOR MOUNTAIN LAND TITLE, LLC, HEREBY CERTIFY THAT I HAVE EXAMINED TITLE TO THE ABOVE-DESCRIBED LAND AS SHOWN IN THE DEDICATION AND THAT THE LAND IS FREE AND CLEAR OF ALL LIENS, EXCEPT THOSE OF RECORD, ACCEPTABLE TO THE TOWN OF NEDERLAND.

SIGNED THIS _____ DAY OF _____, 2010.

AGENT

NOTARY PUBLIC

TITTERINGTON ESTATES

Consent & Subordination - I, THE UNDERSIGNED, BOOK _____, RECORDER OF THAT CERTAIN DEED OF THE FIRST RECORDED AT RECEPTION NO. _____ OF THE COUNTY OF BOULDER, STATE OF COLORADO, HAVE RECEIVED FROM THE UNDERSIGNED, EDWARD L. RANEGAR AND SHEILA M. RANEGAR, A RECORDABLE INSTRUMENT WHICH ODO OF THAT INSTRUMENT IS A RECORDABLE INSTRUMENT, HEREBY CONSENTS TO THE RECORDING OF THIS PLAT, AND TO THE SUBORDINATION OF THE INTERESTS THEREIN TO THE INTERESTS OF THE TOWN OF NEDERLAND, BOULDER COUNTY, COLORADO, AND TO THE EFFECT AS IF THE PLAT HAD BEEN RECORDED FIRST IN THE ODO OF TRUST.

VICE PRESIDENT - CHASE BANK

STATE OF COLORADO)
COUNTY OF BOULDER) SS.
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2010, BY _____ VICE PRESIDENT, CHASE BANK.
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Approvals -

OWNERS COMMUNICATIONS

PUBLIC SERVICE COMPANY OF COLORADO

_____ CHAIR

Planning Commission Certificate - APPROVED BY THE TOWN OF NEDERLAND PLANNING COMMISSION THIS _____ DAY OF _____, A.D., 2010.

_____ CHAIR

_____ DEPUTY

_____ TOWN CLERK

Town of Nederland Certificate of Approval - THE FOREGOING PLAT IS APPROVED FOR FILING PER THE TOWN OF NEDERLAND IN ORDER TO IMPLEMENT RESOLUTION NUMBER _____ OF THE BOARD OF TRUSTEES OF THE TOWN OF NEDERLAND AND IS APPROVED BY THE PLAN AND AGENTS THE DESIGNATION HEREIN SHOWN.

APPROVED BY THE TOWN OF NEDERLAND BOARD OF TRUSTEES THIS _____ DAY OF _____, A.D., 2010.

NOTARY PUBLIC

SUMAYA ABU-HADAD, MAYOR

TERESA MYERS, TOWN CLERK

Clerk and Recorder's Certificate -

STATE OF COLORADO)
COUNTY OF BOULDER) SS.
I, _____, CLERK AND RECORDER OF THE COUNTY OF BOULDER, STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE RECEIVED FROM THE UNDERSIGNED, EDWARD L. RANEGAR AND SHEILA M. RANEGAR, A RECORDABLE INSTRUMENT WHICH ODO OF THAT INSTRUMENT IS A RECORDABLE INSTRUMENT, HEREBY CONSENTS TO THE RECORDING OF THIS PLAT, AND TO THE SUBORDINATION OF THE INTERESTS THEREIN TO THE INTERESTS OF THE TOWN OF NEDERLAND, BOULDER COUNTY, COLORADO, AND TO THE EFFECT AS IF THE PLAT HAD BEEN RECORDED FIRST IN THE ODO OF TRUST.

FEES \$ _____ PAID.

RECORDER

DEPUTY

SEE SHEET 2 OF 2 FOR NOTES AND MORE DETAILED SURVEY INFORMATION

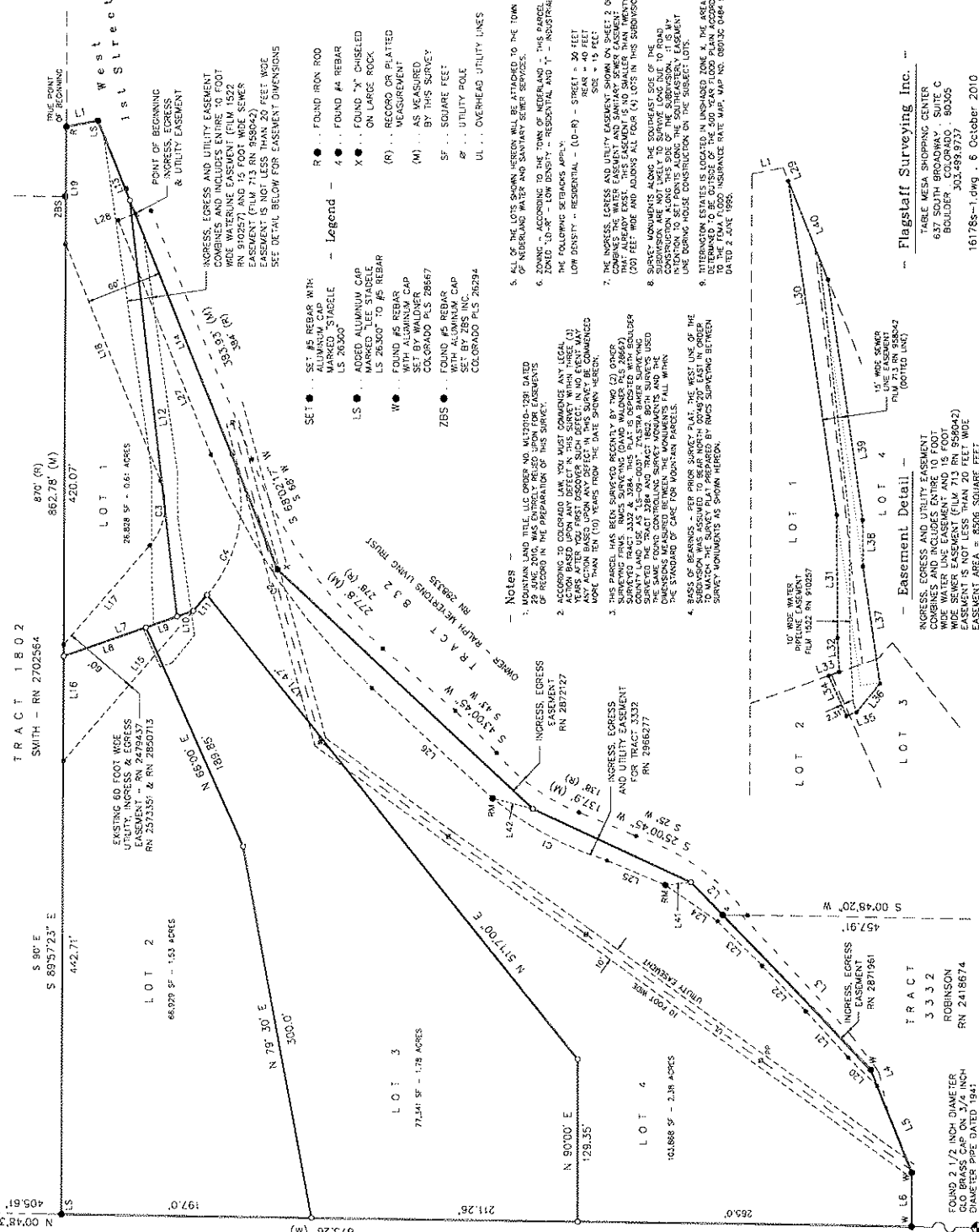
LEE W. STAELE
REGISTERED PROFESSIONAL LAND SURVEYOR
COLORADO LICENSE NUMBER 26300

16178s-1.dwg . 5 October 2010

WEST 1/4 CORNER
SECTION 13
FOUND 2 1/2 INCH DIAMETER
GLO BRASS CAP ON 3/4 INCH
DIAMETER PIPE & DATED 1947



TITTERINGTON ESTATES
a minor subdivision located in the southwest quarter of Section 13
Township 1 South Range 73 West of the 6th P.M.
Town of Nederland Boulder County Colorado
274,986 SQUARE FEET OR 6.3 ACRES, MORE OR LESS - SHEET 2 OF 2



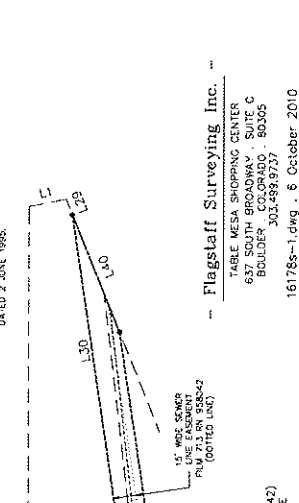
TRACT 1802
SMITH - RN 2702564
862.78' (M)
420.07'
26.888 SF ± 0.61 ACRES
LOT 1
68.029 SF ± 1.53 ACRES
LOT 2
68.029 SF ± 1.53 ACRES
LOT 3
71,341 SF ± 1.78 ACRES
LOT 4
104,888 SF ± 2.38 ACRES

EXISTING 60 FOOT WIDE
UTILITY, INGRESS & EGRESS
EASEMENT - RN 2479437
RN 2573265 & RN 2800715
INGRESS, EGRESS AND UTILITY EASEMENT
FOR WATERLINE EASEMENT (FILM 1522
RN 910257) AND 15 FOOT WIDE SEWER
EASEMENT (FILM 713 RN 950042)
EASEMENT IS NOT LESS THAN 20 FEET WIDE
SEE DETAIL BELOW FOR EASEMENT DIMENSIONS

SET ● SET #5 REBAR WITH
ALUMINUM CAP
MARKED "STABELE"
LS 26200"
● ADDED ALUMINUM CAP
MARKED "LEE STABELE"
ON LARGE ROCK
● FOUND #5 REBAR
LS 26200" TO #5 REBAR
SET BY WALKER
COLGROD PLS 28867
● FOUND #5 REBAR
WITH ALUMINUM CAP
SET BY ZBS INC.
COLORADO PLS 26294

Legend -
● FOUND IRON ROD
● FOUND #4 REBAR
● FOUND "X" CHISELED
ON LARGE ROCK
(R) RECORD OR PLATTED
MEASUREMENT
(M) AS MEASURED
BY THIS SURVEY
SF SQUARE FEET
UL OVERHEAD UTILITY LINES

Notes -
1. MOUNTAIN TITLE LLC ORDER NO. MTD100-1700 DATED
28 JUNE 2010, WAS ENTIRELY RESED UPON FOR ASSESSMENTS
OF RECORD IN THE PREPARATION OF THIS SURVEY.
2. ACCORDING TO COLORADO LAW, YOU MUST COMRADE ANY LEGAL
ACTION WITHIN 10 YEARS OF THE DATE THIS SURVEY WAS
MADE. ANY LEGAL ACTION MUST BE BROUGHT WITHIN 10 YEARS OF
THE DATE OF THIS SURVEY. ANY ACTION BASED UPON ANY DEFECT IN THE SURVEY BE COMRADED
MORE THAN TEN (10) YEARS FROM THE DATE SHOWN HEREIN.
3. THIS PARCEL HAS BEEN SURVEYED RECENTLY BY TWO (2) OTHER
SURVEYS. THE SURVEY DATES ARE 12/20/09 AND 12/20/09. THE
SURVEYED TRACT JAZZ & JAZA. THIS PLAT IS DESIGNED WITH BOLDS
COUNTY LAND USE AS L5-09-0037. EXTRA BARRER SURVEYING
AND THE SAME DURING CONTROLLING SURVEY DOCUMENTS AND THE USED
DIMENSIONS MEASURED BETWEEN THE MONUMENTS FALL WITHIN
THE 3' STIPULATED OF CARE FOR ADJACENT PARCELS.
4. BASIS OF BEARINGS - SET PRIOR SURVEY - PLAT, THE WEST LINE OF THE
TRACT 1802, WAS MEASURED FROM THE WEST LINE OF THE
TRACT 1802 TO MATCH THE SURVEY PLAT PREPARED BY RMC SURVEYING BETWEEN
SURVEY MONUMENTS AS SHOWN HEREIN.



10' WIDE WATER
PIPELINE EASEMENT
PLUM 10' IN PROST
15' WIDE SEWER
LINE EASEMENT
PLUM 7.5' RN 58042
(GOTTED LINE)
INGRESS, EGRESS AND UTILITY EASEMENT
COMBINES AND INCLUDES ENTIRE 10 FOOT
WIDE WATER EASEMENT (FILM 713 RN 950042)
EASEMENT IS NOT LESS THAN 20 FEET WIDE
EASEMENT AREA = 8506 SQUARE FEET

- Line Table -

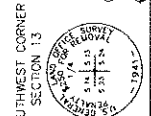
L1 - SOUTH 11-02-19 EAST / 25.43 FEET (M)
SOUTH 11 EAST / 25.47 FEET (R)
SOUTH 11 EAST / 25.41 FEET (S)
L2 - SOUTH 48-00-45 WEST / 35.97 FEET (M)
SOUTH 48 WEST / 36 FEET (R)
L3 - SOUTH 48-01-40 WEST / 37.24 FEET (M)
SOUTH 48 WEST / 37.24 FEET (R)
L4 - SOUTH 68-03-30 WEST / 43.09 FEET (M)
SOUTH 68 WEST / 43.09 FEET (R)
L5 - SOUTH 68-03-30 WEST / 43.09 FEET (M)
SOUTH 68 WEST / 43.09 FEET (R)
L6 - NORTH 88-47-59 WEST / 43.05 FEET (M)
WEST / 50 FEET (R)
L7 - SOUTH 19-32-30 EAST / 54.83 FEET (M)
SOUTH 19-30-30 EAST / 54.83 FEET (R)
L8 - SOUTH 19-30-30 EAST / 54.83 FEET (M)
SOUTH 19-30-30 EAST / 54.83 FEET (R)
L9 - SOUTH 49-22-27 EAST / 56.58 FEET (M)
NORTH 83-20-30 EAST / 56.23 FEET (R)
L10 - SOUTH 49-22-27 EAST / 56.58 FEET (M)
NORTH 83-20-30 EAST / 56.23 FEET (R)
L11 - SOUTH 68-02-17 WEST / 66.23 FEET (M)
SOUTH 68-02-17 WEST / 66.23 FEET (R)
L12 - SOUTH 68-02-17 WEST / 66.23 FEET (M)
SOUTH 68-02-17 WEST / 66.23 FEET (R)
L13 - SOUTH 68-02-17 WEST / 66.23 FEET (M)
SOUTH 68-02-17 WEST / 66.23 FEET (R)
L14 - SOUTH 68-02-17 WEST / 66.23 FEET (M)
SOUTH 68-02-17 WEST / 66.23 FEET (R)
L15 - NORTH 49-24-32 WEST / 73.50 FEET (R)
SOUTH 95-02-17 WEST / 284.05 FEET (M)
L16 - NORTH 49-24-32 WEST / 73.50 FEET (R)
SOUTH 95-02-17 WEST / 284.05 FEET (M)
L17 - SOUTH 49-24-32 WEST / 73.50 FEET (R)
SOUTH 95-02-17 WEST / 284.05 FEET (M)
L18 - NORTH 66-00-30 EAST / 202.14 FEET (R)
NORTH 66-02-40 EAST / 202.23 FEET (M)
L19 - NORTH 66-00-30 EAST / 202.14 FEET (R)
NORTH 66-02-40 EAST / 202.23 FEET (M)
L20 - NORTH 44-00-30 EAST / 32.16 FEET (M)
NORTH 44-00-30 EAST / 32.16 FEET (R)
L21 - NORTH 47-00-30 EAST / 50.00 FEET (M)
NORTH 47-00-30 EAST / 50.00 FEET (R)
L22 - NORTH 46-00-30 EAST / 50.00 FEET (M)
NORTH 46-00-30 EAST / 50.00 FEET (R)
L23 - NORTH 46-00-30 EAST / 50.00 FEET (M)
NORTH 46-00-30 EAST / 50.00 FEET (R)
L24 - NORTH 35-00-30 EAST / 50.00 FEET (M)
NORTH 35-00-30 EAST / 50.00 FEET (R)
L25 - NORTH 42-30-30 EAST / 30.00 FEET (M)
NORTH 42-30-30 EAST / 30.00 FEET (R)
L26 - NORTH 42-30-30 EAST / 30.00 FEET (M)
NORTH 42-30-30 EAST / 30.00 FEET (R)
L27 - NORTH 42-30-30 EAST / 30.00 FEET (M)
NORTH 42-30-30 EAST / 30.00 FEET (R)
L28 - NORTH 42-30-30 EAST / 30.00 FEET (M)
NORTH 42-30-30 EAST / 30.00 FEET (R)
L29 - SOUTH 81-32-30 WEST / 327.84 FEET (M)
SOUTH 81-32-30 WEST / 327.84 FEET (R)
L30 - SOUTH 81-32-30 WEST / 327.84 FEET (M)
SOUTH 81-32-30 WEST / 327.84 FEET (R)
L31 - SOUTH 81-32-30 WEST / 327.84 FEET (M)
SOUTH 81-32-30 WEST / 327.84 FEET (R)
L32 - SOUTH 81-32-30 WEST / 327.84 FEET (M)
SOUTH 81-32-30 WEST / 327.84 FEET (R)
L33 - SOUTH 81-32-30 WEST / 327.84 FEET (M)
SOUTH 81-32-30 WEST / 327.84 FEET (R)
L34 - SOUTH 81-32-30 WEST / 327.84 FEET (M)
SOUTH 81-32-30 WEST / 327.84 FEET (R)
L35 - SOUTH 19-30-30 EAST / 8.64 FEET (M)
SOUTH 19-30-30 EAST / 8.64 FEET (R)
L36 - SOUTH 19-30-30 EAST / 8.64 FEET (M)
SOUTH 19-30-30 EAST / 8.64 FEET (R)
L37 - NORTH 81-37-30 EAST / 36.65 FEET (M)
NORTH 81-37-30 EAST / 36.65 FEET (R)
L38 - NORTH 81-37-30 EAST / 36.65 FEET (M)
NORTH 81-37-30 EAST / 36.65 FEET (R)
L39 - NORTH 81-37-30 EAST / 36.65 FEET (M)
NORTH 81-37-30 EAST / 36.65 FEET (R)
L40 - NORTH 81-37-30 EAST / 36.65 FEET (M)
NORTH 81-37-30 EAST / 36.65 FEET (R)
L41 - NORTH 08-24-37 WEST / 20.19 FEET (M)
NORTH 08-24-37 WEST / 20.19 FEET (R)
L42 - NORTH 14-34-31 EAST / 23.80 FEET (M)
NORTH 14-34-31 EAST / 23.80 FEET (R)

Curve Table -

C1 - LENGTH = 103.91 FEET / RADIUS = 265.0 FEET CENTRAL ANGLE = 22-28-00 CHORD = NORTH 28-34-58 EAST / 103.25 FEET
C2 - LENGTH = 226.89 FEET / RADIUS = 500.0 FEET CHORD = NORTH 55-15-00 EAST / 224.85 FEET
C3 - LENGTH = 54.62 FEET / RADIUS = 50.0 FEET
C4 - LENGTH = 126.16 FEET / RADIUS = 116.0 FEET

DEGREES - MINUTES - SECONDS

Flagslaff Surveying Inc.
TABLE MESA SHOPPING CENTER
637 SOUTH BROADWAY SUITE C
BOULDER COLORADO 80505
303.449.9737
16178s-1.dwg - 6 October 2010





**AGENDA INFORMATION
MEMORANDUM
TOWN OF NEDERLAND
PLANNING COMMISSION**

Meeting Date: October 27th, 2010

Initiated By: /s/ Alisha Reis
Dept: Planning & Zoning
Action X Discussion

AGENDA ITEM:

Special Review Use Application – Short-term RV, bus and construction vehicle parking, 171 and 173 W. First St.

SUMMARY:

The applicant seeks to develop a 16-stall parking lot for short-term parking of recreational vehicles, buses and construction vehicles within the Central Business District (CBD). Such a project, under the “Commercial uses” category in the Use Group Table (Zoning Code Sec. 16-32), would be a use by special review. The proposal meets all zoning district requirements for the CBD.

HISTORY AND PREVIOUS COMMISSION ACTION:

None

RECOMMENDATIONS:

- 1) Ingress and egress areas should be identified via the use of driveways and landscaping (Zoning Code Sec. 16-208).
- 2) Refuse area should be screened from surrounding uses, either by an enclosure or shrubbery.
- 3) A snow storage area for the lot should be designated so as to drain efficiently during melting (Zoning Code Sec. 16-201).
- 4) Drainage for the site should be identified.
- 5) Zoning Code Sec. 16-210 requires lots of 20+ spaces be paved. As this development is targeted to large vehicles that are heavier than average cars, it is recommended that the lot be paved to reduce the incidence of ground erosion and contribution to particulate matter from dust being kicked up after repeated use of the existing dirt lot. Paving could be phased in over time, as an alternative.

As the application meets the zoning requirements of the code, it may be recommended for approval to the Board of Trustees.

ALTERNATIVES:

See above item.

ATTACHMENTS:

Application, site plan, area map.

FINANCIAL CONSIDERATIONS:

Financial considerations are those of the applicant, including utility and site development.



TOWN OF NEDERLAND
 PO BOX 396
 NEDERLAND, CO
 (303) 258-3266

RECEIVED

AUG 10 2010

TOWN OF NEDERLAND
 DEPUTY TOWN CLERK

SPECIAL REVIEW USE APPLICATION

APPLICANT NAME AND ADDRESS NEDERLAND CENTRAL BUSINESS
DISTRICT REDEVELOPMENT, LLC, (NCRDR, LLC)

PHONE NUMBER 303-618-9431 (DAY) SAME (EVENING)

ADDRESS AND LOCATION OF PROPERTY AFFECTED 171 + 173 W. First St.

BLOCK 17 LOT 445 SUBDIVISION _____

EXPLANATION OF THE PROPOSED USE FOR THIS PROPERTY SHORT TERM
(Less than 30 days) RV, TOUR BUS + Construction
Vehicle parking with electricity, water + sewer

THE FOLLOWING INFORMATION IS REQUIRED TO BE INCLUDED WITH THIS APPLICATION. 12 COPIES OF A COMPLETED APPLICATION INCLUDING EVERYTHING IN ITEMS 1,2,3 ARE REQUIRED.

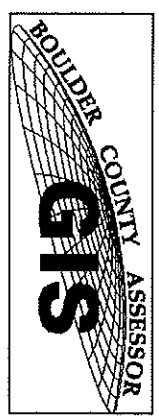
	<u>Initial</u>	<u>Date</u>
1. A complete SITE PLAN (NMC Section 16-52) showing:		
A. Adjacent land uses	TM	8/25
B. Boundary and size of site	TM	8/25
C. Building location, height and setbacks	TM	8/25
D. Proposed land uses and their respective acreage.	TM	8/25
E. Off-street parking and loading areas	TM	8/25
F. Points of ingress and egress	TM	8/25
G. Service and refuse areas	TM	8/25
H. Fencing, landscaping and screening	TM	8/25
I. Compliance with performance standards	TM	8/25
J. Anticipated utility requirements	TM	8/25
2. Time schedule for development - <u>next summer at latest</u>	TM	8/25
3. Other information to support application	TM	8/25
4. List of names and addresses of property owners within 300 feet of subject site. (1 copy to Town Hall from the Boulder County Assessors)	TM	8/25
5. Application fee of \$500	tm	8/25
6. Signed consultant fee agreement if applicable	_____	_____

The Applicant hereby agrees to pay all costs and fees incurred by the Town of Nederland in the hiring of engineering, planning and legal consultants as needed, in the review of the application for Lots 445 Block 17, by NCRDR, LLC, the property described as 171 and 173 west First Street.

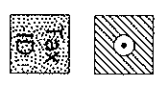
The obligation of the applicant to pay such fees bears no relationship to the result of the application process. The applicant will pay all fees as billed in any event, including the event the applicant shall withdraw or delay the application, or in the event the application is denied.

This agreement is made between the Town of Nederland and Ron Mitchell
 On the 25th day of August, 2010.

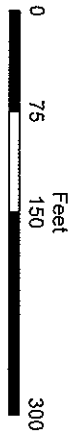
NCRDR, LLC by
Ronald G. Mitchell, Mgr Applicant
[Signature] for the Town of Nederland



Parcel Number(s) = 158313309003
 Tax ID = R0023242
 Address: 173 W 1st street, Nederland, CO
 Search Radius = 300 ft

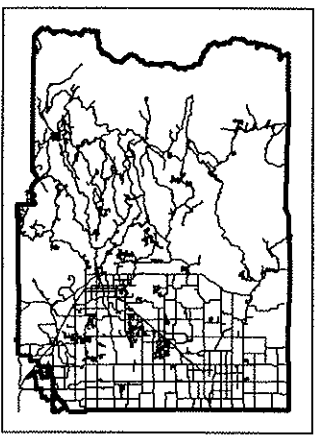


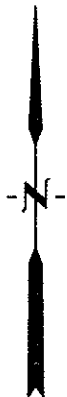
Subject Property(s)
 Properties to be notified





Date Created: August 19, 2010

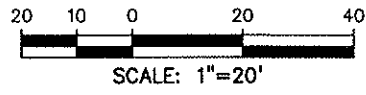
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LEGEND

CO	CLEANOUT
EA	EDGE OF ASPHALT
EM	ELECTRIC METER
FH	FIRE HYDRANT
GP	GUARD POST
OVH	.....	OVERHANG
PP	.....	POWER POLE
TEL MH	.....	TELEPHONE MANHOLE
OE	.....	OVERHEAD ELECTRIC LINE
X	.....	FENCE LINE
	.....	CONCRETE
	.....	EDGE OF ASPHALT



LEGAL DESCRIPTION
 LOTS 4 AND 5, BLOCK 17, TOWN OF NEDERLAND AS RECORDED IN PLAT BOOK 2 AT PAGE 1, TOWN OF NEDERLAND, COUNTY OF BOULDER, STATE OF COLORADO.

- GENERAL NOTES**
1. THE BASIS OF BEARINGS IS THE WESTERLY LINE OF THE SUBJECT PROPERTY WITH THE LINE ASSUMED TO BEAR NORTH.
 2. DREXEL BARRELL & CO. RELIED UPON TITLE COMMITMENT NO. W80006840-7, ISSUED BY LAND TITLE GUARANTEE COMPANY, WITH AN EFFECTIVE DATE OF AUGUST 31, 2004 AT 5:00 P.M. FOR ALL INFORMATION REGARDING THE LEGAL DESCRIPTION, EASEMENTS AND RIGHTS-OF-WAYS.
 3. ALL TIES TO THE RECORD TITLE LINES FROM THE IMPROVEMENTS SHOWN HEREON ARE PERPENDICULAR TO THE RECORD TITLE LINES.
 4. STREET RIGHT-OF-WAY WIDTHS ARE SHOWN HEREON PER PREVIOUS DREXEL BARRELL SURVEYS.
 5. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-506 C.R.S.
 6. BURIED UTILITIES AND/OR PIPE LINES ARE SHOWN PER VISIBLE SURFACE EVIDENCE OR AS-BUILT DRAWINGS OF THE CONSTRUCTED UTILITY LINES. IF ANY UNDERGROUND UTILITY LOCATIONS ARE REQUIRED, THEY WILL HAVE TO BE VERIFIED BY FIELD POT-HOLING THE UTILITIES. DREXEL, BARRELL & CO. AND THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.
 7. EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, EXCLUSIONS, CONDITIONS, OBLIGATIONS, TERMS OR AS TO THE RIGHT TO GRANT THE SAME.
 8. THE LAST FIELD INSPECTION OF THE SITE WAS ON AUGUST 20, 2004.

- TITLE COMMITMENT NOTES**
1. THE PROPERTY AS SHOWN HEREON IS SUBJECT TO THE FOLLOWING PER TITLE COMMITMENT NO. W80006840-7, ISSUED BY LAND TITLE GUARANTEE COMPANY, WITH AN EFFECTIVE DATE OF AUGUST 31, 2004. NOT ALL EXCEPTIONS CONTAINED WITHIN THIS TITLE COMMITMENT ARE NOTED BELOW AND NOT ALL THE EXCEPTIONS LISTED BELOW ARE SHOWN HEREON.
 2. ANY RIGHT, TITLE AND INTEREST IN AND TO A POSSIBLE UTILITY EASEMENT OVER THE WESTERLY PORTION OF THE SUBJECT PROPERTY.

SURVEYOR: MATHEW E. SELDERS
 DREXEL, BARRELL & CO.
 4840 PEARL EAST GORLE SUITE 114
 BOULDER, CO 80301-2476
 (303) 442-4336

CERTIFIED TO: NEDERLAND CENTRAL BUSINESS DISTRICT
 REDEVELOPMENT L.L.C., A COLORADO LIMITED LIABILITY
 COMPANY
 LAND TITLE GUARANTEE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1998, AND INCLUDES ITEMS 1.4.7(c), 8, AND 11(c) OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, ACSM AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT:

PROPER FIELD PROCEDURES, INSTRUMENTATION AND ADEQUATE SURVEY PERSONNEL WERE EMPLOYED IN ORDER TO ACHIEVE RESULTS COMPARABLE TO THOSE OUTLINED IN THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

I FURTHER CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 38-51-106, C.R.S., AS AMENDED, ON THE 20TH DAY OF AUGUST, 2004; THAT THE REAL PROPERTY SURVEYED IS LOCATED IN THE COUNTY OF BOULDER, STATE OF COLORADO; THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP OR PLAT OF THE SURVEY CORRECTLY SHOWS THE LOCATIONS OF ALL VISIBLE AND ABOVE GROUND BUILDINGS, STRUCTURES, AND OTHER IMPROVEMENTS SITUATED ON SAID PREMISES; THAT EXCEPT AS SHOWN, THERE ARE NO EASEMENTS OR RIGHTS-OF-WAYS OF RECORD, PER TITLE COMMITMENT, VISIBLE OR OTHERWISE KNOWN TO ME ON OR ACROSS SAID PREMISES; AND THAT EXCEPT AS SHOWN THERE ARE NO ENCROACHMENTS ON ADJOINING PREMISES, STREETS OR ALLEYS BY ANY OF SAID VISIBLE AND ABOVE GROUND BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS; AND NO ENCROACHMENTS ON SAID PREMISES BY VISIBLE AND ABOVE GROUND BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES.

Matthew E. Selders
 MATHEW E. SELDERS
 COLORADO REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 27275



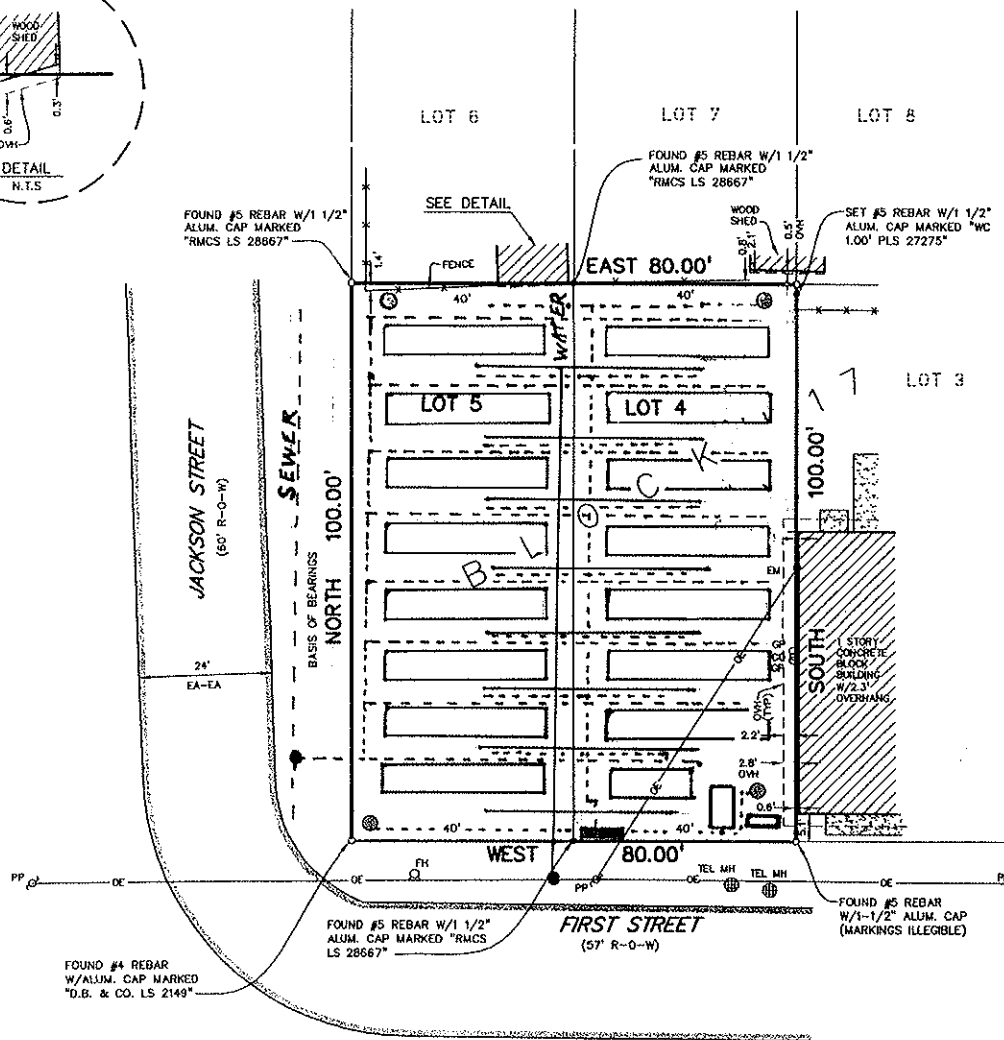
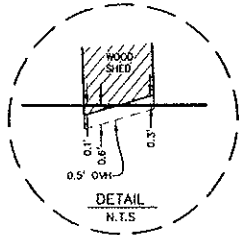
**ALTA/ACSM LAND TITLE SURVEY ON
 LOTS 4 AND 5, BLOCK 17, LOCATED IN
 THE SW1/4 OF SECTION 13, T1S, R73W
 OF THE 6TH P.M., TOWN OF
 NEDERLAND, COUNTY OF BOULDER,
 STATE OF COLORADO.
 FOR: RONALD A. MITCHELL**

IN ACCORDANCE WITH CRS 13-80-105;
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co. Engineers/Surveyors
 4840 PEARL EAST GORLE, SUITE 114 BOULDER, COLORADO 80301 (303) 442-4336
 6366 CORPORATE DRIVE COLORADO SPRINGS, COLORADO 80919 (714) 280-0867
 910 64TH AVENUE, SUITE 210 GREELEY, COLORADO 80634 (970) 351-0646

Revisions - Date	Date	Drawn By	Job No.
	8/20/04	SDS	1146-3
	Scale	Checked By	Drawing No.
	1" = 20'	KA	A36-6

Short Term RV And Tour Bus Parking 171-173 W. First St.



- Property Boundary
- Vehicle Parking Area
- Electric Distribution
- Water "
- Sewer "
- Checkin/out kiosk Utility Shed
- Trash Dumpster
- Down directed Area Lights



**AGENDA INFORMATION
MEMORANDUM
TOWN OF NEDERLAND
PLANNING COMMISSION**

Meeting Date: October 27, 2010

Initiated By: /s/ Kristen Edwards

Dept: Administration

Action _____ Discussion X

AGENDA ITEM:

Consideration of Municipal Code Change to Allow Chickens in Town

SUMMARY:

At the July 21st Planning Commission meeting, the Commission discussed the relevant information provided by the Town Clerk and asked her to do further research per their initial thoughts on the subject. Pursuant to that request, the Town Clerk circulated a memo to the Commission on August 3rd with recommendations based on their direction and using the favored Longmont Ordinance as a guideline. Staff now needs additional direction, including but not limited to answers to the open questions in the August 3rd memo, in order to generate a draft ordinance for review. Ideally the ordinance will be approved at the next Planning Commission meeting and subsequently recommended to the Board of Trustees.

HISTORY AND PREVIOUS COMMISSION ACTION:

The Planning Commission considered this issue at multiple meetings earlier this year, but did not make a formal recommendation to the Board of Trustees. A recommendation has now been requested.

ATTACHMENTS:

Town Clerk Memo of August 3, 2010; Longmont Ordinance O-2009-05

FINANCIAL CONSIDERATIONS:

Nominal Code Enforcement Expenses.



MEMORANDUM

To: Members of the Nederland Planning Commission

From: Teresa Myers, Clerk
Town of Nederland

Date: August 3, 2010

Re: Staff recommendations for chicken hen ordinance

Pursuant to your request, I have conducted some research on towns permitting chicken hens within their political boundaries. My research indicates that there is a high degree of uniformity among those municipalities that permit chicken hens and provide any detail in their Codes. The City of Longmont has the most developed and comprehensive ordinance, and I have attached it for your consideration. It is my suggestion that Nederland adopt the Longmont ordinance as a model. Below I offer some possible modifications to the Longmont ordinance for your consideration. For ease of reference, I have noted where the modification options correspond to sections of the Longmont ordinance, Sec 7.04.130 (5).

Note on (e)(iv) Various municipal ordinances require between two (2) and five (5) square feet of space per chicken. This needs further consideration.

Note on (e)(viii) The setbacks contained in the Longmont ordinance may not replicate setbacks desired by the Commission and/or already in existence in Nederland. This needs further consideration.

(e)(vi) Be constructed of materials that are complimentary to existing structures.

(f) All coops shall be constructed to provide proper ventilation and designed to be easily accessed, cleaned, and maintained. All coops shall be regularly cleaned to control dust, odor, and waste, and not constitute a nuisance, safety hazard, predator lure, or health problem to surrounding properties.

(g) No slaughtering is allowed. The hens may not be killed by or at the direction of the owner or keeper thereof, except pursuant to lawful order of an appropriate State, County, or Local Government official, or for the purpose of euthanasia when surrendered to a licensed veterinarian or animal shelter for such purpose, or as otherwise expressly permitted by law.

(i) A city permit is required for all chicken hen coops, based on application to the Town Clerk and inspection by the Building Inspector.

Note on (i) Longmont limits the number of chicken hen permits to 50 city-wide. At the July 20th Planning Commission meeting, the members discussed limiting the number of permits issued by neighborhood or some other distinction. I was uncertain as to how to proceed on this point without additional direction from the Commission. I can understand property owners' concerns that their street not become a "chicken street" and would urge the Commission to further consider some type of restriction. Furthermore, in the interest of preserving our retail areas as places attractive to tourists not necessarily seeking a rural experience, I would suggest prohibiting chicken hen permits in the GC, CBD, and I zones.

(m) No breeding, selling, or trading of offspring is allowed.

(n) No organic materials furnishing food for flies shall be allowed to accumulate on the premises. All manure and other refuse must be kept in tightly covered, predator-, rodent- and insect-resistant receptacles and disposed of at least once each week in a manner approved by the Building Inspector.

(o) Hen owners shall be responsible and legally liable for any harm suffered during an occurrence involving a human or pet encounter with a predator attracted by the presence of the chicken hens.

(p) Hen owners must adhere to all Federal and State laws and regulations concerning all avian diseases.

1 c. *Roosters Prohibited. No person may own or keep a rooster in any*
2 *district not zoned Agricultural.*

3 d. *Backyard chicken hens are restricted to the rear or backyard of*
4 *any lot in a residential zoning district or the rear or backyard of a residential use*
5 *in all other zoning districts.*

6 e. *All backyard chicken hen coops shall meet the following*
7 *requirements:*

8 i. *Be predator-proof with a solid top.*

9 ii. *Provide water at all times.*

10 iii. *Are limited to a maximum of 120 square feet (includes coop*
11 *space and chicken run).*

12 iv. *Provide at least four (4) square feet of space per chicken*
13 *for the chicken coop and run.*

14 v. *Be no taller than seven (7) feet at the highest point of the*
15 *roof.*

16 vi. *Not be located between the rear of the structure and the*
17 *front yard lot line.*

18 viii. *Be at least six (6) feet from any other structure and at least*
19 *six (6) feet from any side or rear property line, except that any coop in existence*
20 *as of February 1, 2009, shall be exempt from this set-back requirement, provided*
21 *such coop meets the requirements of this subsection, and provided further that the*
22 *owner of such existing coop obtain the agreement of any neighbor whose property*
23 *abuts such existing coop.*

1 f. All coops shall be regularly cleaned to control dust, odor, and
2 waste and not constitute a nuisance, safety hazard, or health problem to
3 surrounding properties.

4 g. No slaughtering allowed.

5 h. Chicken feed must be stored in a re-sealable, airtight, metal, rat-
6 proof container, as required by § 9-16-130 of this code, to discourage attracting
7 mice, rats, and other vermin.

8 i. A city permit is required for all chicken hen coops and no more
9 than 50 permits shall be issued by the city.

10 j. The fee for a chicken hen coop is \$30.00.

11 k. A permit may be revoked upon the conviction of the permit holder
12 of a violation of this section.

13 l. Following any expiration of this subsection 5, permit holders shall
14 have a period of six (6) months to remove any chicken hens they have on their
15 property at the time of such expiration.

16 Section 2

17 After the effective date of this ordinance, the City Manager shall review the merits and
18 impacts of this ordinance and submit a written report regarding the same to City Council upon
19 the conclusion of a trial period ending on December 31, 2010.

20 Section 3

21 To the extent only that they conflict with this ordinance, the Council repeals any
22 conflicting ordinances or parts of ordinances. The provisions of this ordinance are severable, and
23 invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance.

24
25 Introduced this 10th day of February, 2009.

26
27 Passed and adopted this 24th day of February, 2009.