

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER BERRY
COUNCIL BILL NO. 17
ORDINANCE NO. 1491
Series 2011

**TITLE: AN ORDINANCE AMENDING CHAPTER 26 TO SUPPORT
URBAN AGRICULTURAL USES AND ACTIVITIES**

WHEREAS, the City Council of the City of Wheat Ridge is authorized by the Home Rule Charter and the Colorado Constitution and statutes to enact and enforce ordinances for the preservation of the public health, safety and welfare; and

WHEREAS, the City's Comprehensive Plan, Envision Wheat Ridge, establishes that the City will work to promote access to healthy foods and support urban agriculture according to Policy SF 4.2 Accessible Healthy Foods; and

WHEREAS, said plan includes the recommendation to "revise regulations to allow farmers' markets, produce stands and urban agriculture" within the City; and

WHEREAS, the City Council of the City of Wheat Ridge wishes to amend the Wheat Ridge Code of Laws (the "Code") to accomplish these goals.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF WHEAT RIDGE, COLORADO:**

Section 1: Section 26-123, entitled "Definitions," is amended to review the definition of "Building, accessory," to read:

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Building, accessory. A subordinate building or portion of a main building the use of which is incidental to that of the main building **OR USE** on the same lot. These accessory buildings shall include, but are not limited to, private storage sheds, detached garages, detached carports, membrane structures that meet current building code requirements, chicken coops, gazebos, greenhouses and barns. **AN URBAN GARDEN USE MAY BUT IS NOT REQUIRED TO HAVE A MAIN BUILDING. EXCEPT FOR URBAN GARDEN USES, An AN** accessory building must be clearly subordinate to a main **use BUILDING** located on the same lot **AND Additionally**, an accessory structure shall not be located on a vacant lot devoid of a main building.

Section 2: Section 26-123 of the Code is amended to include the following new definitions in appropriate alphabetical order:

FARMERS' MARKET. A PUBLICLY OR PRIVATELY OPERATED, OPEN-AIR ESTABLISHMENT WHERE PRIMARILY AGRICULTURAL PRODUCTS SUCH AS RAW VEGETABLES, FRUITS, HERBS, FLOWERS, PLANTS, NUTS, HONEY AND EGGS ARE SOLD. ANY NON-AGRICULTURAL PRODUCT SOLD AT A FARMERS' MARKET MUST HAVE BEEN CREATED BY THE VENDOR SELLING THE ITEM.

PRODUCE STAND. A TEMPORARY STRUCTURE AT WHICH AGRICULTURAL PRODUCTS SUCH AS RAW VEGETABLES, FRUITS, HERBS, FLOWERS, PLANTS, NUTS, HONEY AND EGGS ARE SOLD. VALUE-ADDED AGRICULTURAL PRODUCTS, WHICH ARE MADE FROM RAW AGRICULTURAL PRODUCTS GROWN, RAISED, OR PRODUCED ON-SITE, SUCH AS JAMS, JELLIES, OILS, VINEGARS, AND CHEESES, MAY ALSO BE SOLD AT PRODUCE STANDS. PRODUCTS SOLD AT PRODUCE STANDS MUST HAVE BEEN PRIMARILY GROWN, RAISED, OR PRODUCED ON THE SAME PROPERTY WHERE THE STAND IS LOCATED.

URBAN GARDEN. AN AREA OF LAND FORMALLY MANAGED, ORGANIZED, AND MAINTAINED BY AN INDIVIDUAL OR GROUP OF INDIVIDUALS TO GROW AND HARVEST FOOD CROPS AND/OR NON-FOOD ORNAMENTAL CROPS, SUCH AS FLOWERS. URBAN GARDENS MAY BE DIVIDED INTO SEPARATE PLOTS FOR CULTIVATION BY ONE OR MORE INDIVIDUALS OR MAY BE MAINTAINED AND CULTIVATED COLLECTIVELY. URBAN GARDEN EXAMPLES INCLUDE COMMUNITY GARDENS, WHERE CROPS ARE CONSUMED OR DONATED, MARKET GARDENS, WHERE CROPS ARE SOLD FOR PROFIT, AND COMMUNITY-SUPPORTED AGRICULTURE (CSA), WHERE CROPS ARE SOLD OR DONATED FOR SHAREHOLDER CONSUMPTION.

Section 3: The Table of Uses in Section 26-204 of the Code are amended to read:

Table of Uses--Residential

TABLE INSET:

<i>Uses</i>	<i>Notes</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-3</i>	<i>R-3A</i>
One-family dwelling		P	P	P	P	P	P	P	P
Two-family dwelling						P	P	P	P
Three-family dwelling							P	P	P

<i>Uses</i>	<i>Notes</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-3</i>	<i>R-3A</i>
Four-family dwelling							P	P	P
Multifamily dwelling								P	P
Bed and breakfast	See § 26-608	S	S	S	S	S	S	S	S
Church, parish house		S	S	S	S	S	S	S	S
Day care home, large		S	S	S	S	S	S	P	P
Electric transmission substation		S	S	S	S	S	S	S	S
FARMERS' MARKETS	NOT PERMITTED AS AN ACCESSORY USE ON PROPERTIES WHERE THE PRIMARY USE IS A SINGLE- OR TWO-FAMILY HOME. SUBMITTAL TO COMMUNITY DEVELOPMENT DEPARTMENT REQUIRED. SEE § 26-635	P	P	P	P	P	P	P	P
Foster care home		P	P	P	P	P	P	P	P
Governmental and quasi-governmental buildings, fire stations and public utility buildings	No outside storage	P	P	P	P	P	P	P	P
Governmental and quasi-governmental buildings, fire stations and public utility buildings	Outside storage	S	S	S	S	S	S	S	S
Parking of automobiles of	Shall be allowed only on lots containing nonresidential or	P	P	P	P	P	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-3</i>	<i>R-3A</i>
clients, patients or patrons of adjacent commercial or nonresidential uses	quasi-public uses, subject to § 26-501C.4								
Parking of automobiles of clients, patients or patrons of adjacent commercial uses	Shall be allowed on lots adjacent to business only if the business owner also owns the adjacent lot	S	S	S	S	S	S	S	S
Parks	Includes: noncommercial playgrounds or other public recreation uses	P	P	P	P	P	P	P	P
PRODUCE STANDS	SEE § 26-636. WHERE LOCATED ON A LOT WITH A RESIDENTIAL DWELLING UNIT, MUST MEET HOME OCCUPATION REGULATIONS PER § 26-613.	P	P	P	P	P	P	P	P
Public or private golf courses, country clubs or clubs operated for the benefit of members only and not for gain	Restaurants, lounges and bars permitted as accessory to a public or private golf course	S	S	S	S	S	S	S	S
Public and private schools, colleges and universities.		S	S	S	S	S	S	S	S
Residential group home for children	See § 26-612	S	S	S	S	S	S	S	S
Residential group homes, nursing homes, and congregate care facilities for 8 or fewer elderly persons	See § 26-612	P	P	P	P	P	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-3</i>	<i>R-3A</i>
Residential group homes, nursing homes, or congregate care facility for 9 or more elderly persons	See § 26-612	S	S	S	S	S	S	S	S
URBAN GARDENS	SEE § 26-637	P	P	P	P	P	P	P	P
Wind powered electric generators	Not in excess of 35 feet	S	S	S	S	S	S	S	S

TABLE INSET:

<i>Accessory Uses For Residential Districts</i>	<i>Notes</i>
Bee keeping	See § 26-603 and 607
Ancillary uses operating within a church's primary structure	e.g.: Day care centers, scout meetings
Home occupations, INCLUDING PRODUCE STANDS	See § 26-613 AND § 26-636 FOR PRODUCE STANDS
Accessory buildings	See § 26-123; 605 (excludes keeping of swine); 606. Accessory buildings shall not be located on a vacant lot devoid of any primary or main building, EXCEPT FOR URBAN GARDEN USES, WHICH MAY OR MAY NOT HAVE A PRIMARY OR MAIN BUILDING.
FARMERS' MARKETS	NOT PERMITTED AS AN ACCESSORY USE ON PROPERTIES WHERE THE PRIMARY USE IS A SINGLE- OR TWO-FAMILY HOME. SEE § 26-635
Household pets, limited to no more than 3 dogs and 4 cats	Plus their unweaned offspring
Private swimming pools and tennis courts and other	See § 26-603

<i>Accessory Uses For Residential Districts</i>	<i>Notes</i>
recreational facilities	
Public and private communications towers, television or radio antennas	For satellite earth receiving stations, see § 26-616 and § 26-617
Public utility lines and poles, irrigation channels, storm drainage and water supply facilities	
Rooming and/or boarding of not more than 2 persons	On a contract basis for not less than 7 days
URBAN GARDENS	SEE § 26-637
Water towers or aboveground reservoirs	Not in excess of 35 feet

Table of Uses--Agricultural and Public Facilities

TABLE INSET:

<i>Uses</i>	<i>Notes</i>	<i>A-1</i>	<i>A-2</i>	<i>PF</i>
Bed-and-breakfast	Subject to requirements set forth in § 26-608	S	S	
Cemeteries and crematories	Not including funeral homes	S	S	
Churches parish houses		S	S	
Day care home, large		S	S	
Day care center, large		S	S	
Day care center, small		S	S	

<i>Uses</i>	<i>Notes</i>	<i>A-1</i>	<i>A-2</i>	<i>PF</i>
Dog kennels, catteries, veterinary hospitals	Provided that outside runs which are adjacent to residentially zoned or used property are no closer than 25 feet to a side or rear lot line	S	S	
Electric transmission substations		S	S	
General farming and raising or keeping of stock, bee keeping, poultry or small animals such as rabbits or chinchillas	PROHIBITED in A-1: The raising or keeping of swine INCLUDED in A-2: The keeping of swine and/or potbellied pigs, Sus Scrofa Vittatus, except such animals shall not be fed garbage	P	P	
FARMERS' MARKETS	SUBMITTAL TO COMMUNITY DEVELOPMENT DEPARTMENT REQUIRED. SEE § 26-635.	P	P	P
Foster care home		P	P	
Fish hatcheries		P	P	
Governmental and quasi-governmental buildings, fire stations and public utility buildings	No outside storage	P	P	P
Governmental and quasi-governmental buildings, fire stations and public utility buildings	Outside storage	S	S	P
Greenhouses and landscape nurseries, including both wholesale and retail sales of related products	See § 26-624	P	P	
One-family dwelling		P	P	
Parks	Includes noncommercial playgrounds or other public recreation uses	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>A-1</i>	<i>A-2</i>	<i>PF</i>
PRODUCE STANDS	SEE § 26-636. WHERE LOCATED ON A LOT WITH A RESIDENTIAL DWELLING UNIT, MUST MEET HOME OCCUPATION REGULATIONS PER § 26-613.	P	P	P
Public and private schools, colleges, and universities	In public facility district only public schools	S	S	P
Public or private golf courses, country clubs or clubs operated for the benefit of members only and not for gain	Not including a private club which provides service customarily carried on as a business	S	S	
Race track, fair grounds, amusement resorts, heliports, radio towers and stations		S	S	
Residential group homes for 8 or fewer elderly persons	See § 26-612	P	P	
Residential group or nursing homes, or congregate care facilities for 9 or more elderly persons	See § 26-612		S	
Residential group homes for children	See § 26-612		S	
Riding academies and public stables	Provided that any structure housing animals which is adjacent to a residentially zoned or used property shall be no closer than 25 feet to a side or rear lot line	P	P	
Roadside stands for operation for not more than 6 months per year for the sale of farm products produced or made on the premises.	Provided such stands are located no less than 30 feet from any street, highway or right-of-way line, and that temporary off street parking is provided	P	P	
URBAN GARDENS	SEE § 26-637	P	P	P
Wind-powered electric generators not in excess of 35 feet.		S	S	

TABLE INSET:

<i>Agricultural and Public Facilities Districts Accessory Uses</i>	<i>Notes</i>
Home occupations, INCLUDING PRODUCE STANDS	Meeting the definition and standards in § 26-613 AND, FOR PRODUCE STANDS, § 26-636
Detached private garage or carport	
FARMERS' MARKETS	SEE § 26-635
Household pets, limited to no more than 3 dogs and 4 cats	Plus their unweaned offspring
Parking of equipment, implements, machinery and/or large trucks, trailers and semi-tractor trailers, when used in support of agricultural and public maintenance operations	
Private storage sheds, barns, animal shelters or outbuildings	
Private swimming pools and tennis courts	See § 26-603 for related requirements
Public utility lines and poles, irrigation channels, storm drainage and water supply facilities	Includes other similar facilities such as electric transmission lines and poles
Public and private communications towers, television or radio antennas	Includes other similar communications receiving or sending devices. None may exceed 35 feet in height, whether ground or structurally mounted. For satellite earth receiving stations, see § 26-616 and 26-617
Rooming and/or boarding for not more than 2 persons	On a contract basis for not less than 7 days
URBAN GARDENS	SEE § 26-637
Water towers or above ground reservoirs	Not in excess of 35 feet

Table of Uses--Commercial and Industrial Districts

TABLE INSET:

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Adult entertainment establishments	In accordance with Wheat Ridge Code of Laws, Chapter 3			P	P	P
Ambulance services			P	P	P	P
Amusement parks				S	P	P
Animal veterinary hospitals and clinics	With outside runs; no cremation				P	P
Animal veterinary hospitals or clinics	Where there are no outside pens or runs for dogs; no cremation	S	P	P	P	P
Antique stores	In NC & RC Districts: Provided that no more than 200 square feet of building area shall be allocated to repair	S	P	P	P	P
Apparel and accessory stores	See Footnote 1	S	P	P	P	P
Appliance stores and incidental service and repair				P	P	P
Art galleries or studios	See Footnote 1	P	P	P	P	P
Assembly halls and convention facilities				P	P	P
Auction houses				S	P	P
Auto service, repair and maintenance shops, minor	See § 26-631			P	P	P
Auto service, repair and maintenance shops, major	See § 26-631			S	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Automobile and light-duty truck sales and rental	See § 26-628			S	S	S
Automotive parts and supplies sales				P	P	P
Bail bonds businesses	See Footnote 2. See § 26-634 for distance requirements.				P	P
Bakeries, retail	See Footnote 1	S	P	P	P	P
Banks, loan and finance offices	See § 26-633	P	P	P	P	P
Bed and breakfast homes	Subject to requirements set forth in § 26-608.	P	P	P	P	P
Bicycle stores	See Footnote 1	S	P	P	P	P
Blueprinting, photostatic copying and other similar reproduction services	EXCLUDING: Large printing, publishing and/or book binding establishments	S	P	P	P	P
	See Footnote 1					
Boat, recreational vehicle and trailer sales, rentals and service	See § 26-628			S	S	S
Body art establishments			S	S	S	
Book stores, stationery and card stores	See Footnote 1	S	P	P	P	P
Building contractor's service shop and storage yard incidental to an office/showroom principal use.	See § 26-629			S	P	P
Business machine or computer stores	See Footnote 1	S	P	P	P	P
Butcher shops and food lockers	EXCLUDING: Food processing			P	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Cabinet and woodworking shops						S
Camera and photographic service and supply stores	See Footnote 1	S	P	P	P	P
Candy, nut and confectionery stores	See Footnote 1	S	P	P	P	P
Caretaker residence	Only one (1) unit for caretaker or manager		P	P	P	P
Carpet cleaning and fumigating						S
Carting, express, hauling or storage yard						S
Car wash, automatic				S	P	P
Car wash, coin operated				S	P	P
Caterers				P	P	P
Day care center, large				P	P	P
Day care center, small				P	P	P
Clinics and offices for the counseling and treatment of psychological, social, marital, developmental or similar conditions, excluding substance abuse clinics	C-1, C-2 & I INCLUDE: Residential facilities.	S	P	P	P	P
	NC & RC EXCLUDES: Residential facilities					
	ALL districts INCLUDE: Counseling and treatment for alcoholism					
Cold storage plant					P	P
Commercial machine shops				S	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Community buildings	e.g.: YMCA's, YWCA's, churches, libraries, parks, museums, aquariums and art galleries.	P	P	P	P	P
Construction and heavy equipment sales, service, rental and storage	See § 26-629				P	P
Contractor's plant or storage yard						S
Dairy products stores	See Footnote 1	S	P	P	P	P
Day care center and preschools, large				P	P	P
Day care center and preschools, small				P	P	P
Department or variety stores				P	P	P
Drug stores				P	P	P
Eating establishments, drive through		S	S	S	S	S
Eating establishments, sit down		S	P	P	P	P
Electric transmission and public utility substations		S	S	S	S	S
Electrical motors and armature regrinding shops						S
Electrical supplies and service	EXCLUDING: Contractors storage yards			P	P	P
Equipment rental agencies	Subject to § 26-628; in RC District: Outside storage and display prohibited		P	P	P	P
Exterminators			P	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Farm equipment sales, service and storage	See § 26-628				P	P
FARMERS' MARKETS	SUBMITTAL TO COMMUNITY DEVELOPMENT DEPARTMENT REQUIRED. SEE § 26-635	P	P	P	P	P
Floral shops	See Footnote 1	S	P	P	P	P
Furniture stores				P	P	P
Garden supply stores	See Footnote 1	S	P	P	P	P
Gift, novelty or souvenir stores	See Footnote 1	S	P	P	P	P
Golf courses	INCLUDES: Private clubs, restaurants and lounges, driving ranges, and those uses commonly accepted as accessory thereto when located on the same premises			P	P	P
Governmental and quasi-governmental buildings and offices, fire stations or public utility buildings	No outside storage	P	P	P	P	P
Governmental and quasi-governmental buildings and offices, fire stations or public utility buildings	Outside Storage	S	S	S	P	P
Greenhouses and landscape nurseries, retail	See § 26-624	S	S	P	P	P
Greenhouses and landscape nurseries, wholesale	See § 26-624			S	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Grocery or convenience stores, no gas pumps	See Footnote 1	P	P	P	P	P
Grocery stores which may include no more than 1 gasoline service island with no more than 2 dispensing pumps	See Footnote 1	S	S	S	P	P
Hair, nail and cosmetic services		P	P	P	P	P
Hardware stores	See Footnote 1	S	P	P	P	P
Hobby and craft stores	See Footnote 1	S	P	P	P	P
Home furnishing stores				P	P	P
Home improvements supply stores				P	P	P
Hotels or motels for transient occupancy.	There shall be 1,000 square feet of gross lot area for each unit			S	S	S
Ice plants					P	P
Indoor amusement and recreational enterprises	e.g.: Roller rinks, bowling alleys, arcades and similar uses			P	P	P
Indoor flea markets	PROHIBITED: Outdoor flea markets			P	P	P
Interior decorating shops		S	P	P	P	P
Itinerant sales	See § 26-630			S	S	S
Jewelry stores	See Footnote 1	S	P	P	P	P
Kennels						S

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Laundry and dry cleaning shops		S	S	P	P	P
Laundry and dry cleaning pick up stations		P	P	P	P	P
Leather goods and luggage stores				P	P	P
Linen supply				P	P	P
Liquor stores				P	P	P
Locksmith shops		P	P	P	P	P
Lumber yards and building supply stores	Unenclosed storage of any materials shall be screened from view from adjacent properties and streets			P	P	P
Manufacture of vaccines, serums and toxins	PROVIDED: An antidote exists and is readily available for such vaccine, serums or toxins; and approval of such manufacture is received from the state department of health and the county health department					S
Manufacturing, processing, assembly, or light industrial operations	See § 26-505; § 26-631 and § 26-123, definitions				P	P
Manufacturing, fabrication and/or processing of concrete products						S
Massage therapist	See Chapter 11, Article 10 Code of Laws for additional restrictions	P	P	P	P	P
Massage therapy center	See Chapter 11, Article 10 Code of Laws for additional restriction	P	P	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Meat, poultry or seafood stores	See Footnote 1	S	P	P	P	P
Medical and dental offices, clinics or laboratories, excluding substance abuse clinics	Pharmacies and optical stores are accessory use	P	P	P	P	P
Mini-warehouses for inside storage					P	P
Mobile or modular homes or building sales	See § 26-628				S	S
Mortuaries and crematories				S	S	S
Motor fueling stations				S	P	P
Motorcycle sales and service	See § 26-628			P	P	P
Music stores	See Footnote 1	S	P	P	P	P
Newsstands	For the sale of newspapers, magazines, etc.	P	P	P	P	P
Office supply stores	See Footnote 1	S	P	P	P	P
Offices: General administrative, business and professional offices		P	P	P	P	P
Optical stores	See Footnote 1	S	P	P	P	P
Outdoor amusement facilities				S	P	P
Paint and wallpaper stores	See Footnote 1		P	P	P	P
Parking of automobiles of clients, patients or patrons of adjacent commercial or nonresidential uses	Subject to § 26-501C.4	P	P	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Parking of not more than 3 commercial truck-tractors and/or semi-trailers	See § 26-619; § 26-123, definitions			S	S	S
	When in conformance with the parking design standards set forth in § 26-501					
	It is not intended that such parking limitations shall apply to pickup and delivery trucks normally associated with business operations					
Pawn shops					S	
Pet stores	See Footnote 1	S	P	P	P	P
Pharmacies		S	P	P	P	P
Picture framing shops	See Footnote 1	S	P	P	P	P
Plumbing and heating supply stores and shops	EXCLUDING: Outdoor storage yards			P	P	P
Printing, engraving and other related production processes						S
Private clubs, social clubs, bingo parlors and similar uses				P	P	P
PRODUCE STANDS	SEE § 26-636	P	P	P	P	P
Psychic advisors and similar uses			S	S	S	P
Research laboratories, offices and other facilities for research					P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Residential group and nursing homes and congregate care facilities for 8 or fewer elderly persons		P	P	P	P	P
Residential group and nursing homes and congregate care facilities for 9 or more elderly persons		S	S	S		
Residential group home for children		S	S	S		
Residential uses in existence on 3/11/97	Such residential uses may be extended, enlarged, and/or reconstructed so long as no additional dwelling units are created	P	P	P	P	P
Residential uses in commercial zones	See § 26-626	P	P	P	P	P
Rooming and boardinghouses		S	S	P	P	P
RV, boat, trailer and travel trailer storage	See § 26-628				P	P
Sales, repair, rental and servicing of any commodity that the manufacture, fabrication, processing or sale of which is permitted in the district					P	P
Schools for industrial or business training, including vocational trade or professional schools	Conducted entirely within an enclosed building				S	S
Schools: public; private colleges and universities	INCLUDES: Those uses commonly accepted as necessary thereto when located on the same premises	S	S	S	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C- 1</i>	<i>C- 2</i>	<i>I</i>
Shoe repair shops		P	P	P	P	P
Shoe stores	See Footnote 1	S	P	P	P	P
Shops for custom work or for making articles, materials or commodities to be sold at retail on the premises	See § 26-631; § 26-632				P	P
Social club	In accordance with Wheat Ridge Code of Laws, Chapter 11, Article XI			P	P	P
Sporting goods stores	See Footnote 1	S	P	P	P	P
Stone cutting or polishing works					P	P
Studio for professional work or teaching of fine arts, photography, music, drama or dance		P	P	P	P	P
Substance abuse clinics				S	S	P
Tailor, dressmaking or clothing alteration shops		P	P	P	P	P
Taverns, night clubs, lounges, private clubs and bars				P	P	P
Television, radio, small appliance repair and service shops	See Footnote 1	S	P	P	P	P
Temporary Christmas tree, produce and bedding plant sales lots	See § 26-627		P	P	P	P
Theatres, indoor				P	P	P
Tobacco stores	See Footnote 1	S	P	P	P	P

<i>Uses</i>	<i>Notes</i>	<i>NC</i>	<i>RC</i>	<i>C-1</i>	<i>C-2</i>	<i>I</i>
Toy stores	See Footnote 1	S	P	P	P	P
Transit station, public or private				S	S	S
URBAN GARDENS	SEE § 26-637	P	P	P	P	P
Upholstery shops				P	P	P
Video rentals	See Footnote 1	S	P	P	P	P
Warehousing and outside storage	See § 26-631				P	P
Warehouse/office	Maximum 75% total area as warehouse; minimum 25% as total area as office			S	P	P
Watch and jewelry repair shops		P	P	P	P	P
Woodworking or carpentry shops for the making of articles for sale upon the premises, such as cabinets or custom furniture	See § 26-632			S	P	P

Footnote:

1 The amount of building space devoted to retail use is limited to 5,000 square feet in NC and RC Districts.

2 In addition to being allowed as a Permitted Principal Use in the C-2 and I zone districts, bail bonds businesses may be permitted in Planned Industrial Development districts if approved as part of an Outline Development Plan (ODP) and in conformance with the requirements of Code section 26-634.

TABLE INSET:

<i>Commercial and Industrial District Accessory Uses</i>	<i>Notes</i>
Accessory buildings and structures	See § 26-625
Electric transmission or other public utility lines and poles, irrigation channels, storm drainage and water supply facilities	
FARMERS' MARKETS	SEE § 26-635
Food services	Primarily for the occupants of a building containing a permitted use when located within the same building
PRODUCE STANDS	SEE § 26-636
Residential uses in commercial zones	See § 26-626
Outside storage or display	See § 26-631
URBAN GARDENS	SEE § 26-637

Key:

P = Permitted Principal Uses

S = Special Uses

Section 4: Section 26-502 of the Code is amended to read:

Sec. 26-502. Landscaping requirements.

A. *Landscaping defined:* A combination of living plants, such as trees, shrubs, vines, groundcover, flowers, **VEGETABLE PLANTS**, sod or grass; and may include natural features, such as rock, stone and bark; and structural features, including, but not limited to, fountains, reflecting pools, art work, screen walls, fences and benches. Uncontrolled weeds shall not be considered as landscaping; however, maintained natural grasses and natural flowers may be considered as landscaping.

Sidewalks, whether paved or gravel, which serve as functional links between parking areas and main structures, or which serve as general public access routes around a main structure, or between a main structure and a public street or alley, shall not be counted as landscaping. Other sidewalks or paths which serve as casual access to or through landscape areas may be counted as nonliving landscape features.

Section 5: Section 26-613 of the Code is amended to read:

Sec. 26-613. Home occupations.

A. *Home occupation.* Home occupations are permitted as accessory uses to any conforming (as to use) residential dwelling; provided, however, that the following requirements are met:

1. Such use shall be conducted entirely within a dwelling or accessory structure except for sales of plants, ~~and~~ produce, **OR OTHER AGRICULTURAL PRODUCTS** grown, **RAISED, OR PRODUCED** on the premises and carried on only by the inhabitants living there, with the exception that should the operator be substantially, physically handicapped a nonresident may be employed to assist the operator in his work to the extent he requires it to make up for his physical handicap.
2. Not more than one (1) employee may live off-premises.
3. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof.
4. The total area used for said purposes shall not exceed twenty-five (25) percent of the gross floor area of the user's dwelling unit.
5. ~~No sign advertising the home occupation shall be permitted.~~ **EACH HOME OCCUPATION IS PERMITTED TO HAVE ONE NON-ILLUMINATED SIGN UP TO 2 SQUARE FEET IN SIZE. THE SIGN MAY BE FREESTANDING OR WALL-MOUNTED. SEE SECTION 26-709.**

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11. Home occupations are limited to the following business or commercial activities:

- a. Craft work, such as the making of pottery, jewelry or dolls, flower arranging, smithing and woodworking.
- b. Garment work, such as tailoring, dressmaking, millinery work, ironing and garment repair.
- c. Office uses, such as office uses for door-to-door, home party and telephone solicitation sales, investment counseling, typing, notary public, travel services, surveyors, physicians, dentists, lawyers, accountants, architects, engineers and other similar services.
- d. Repair services for electronics, small appliances, and mechanical devices, bicycles and upholstery.
- e. Tutoring, music lessons, dance lessons, gymnastics lessons, swim lessons and tennis lessons.
- f. Artistic endeavors, such as art studios, portrait studios, photography studios, writing and lithography.
- g. Garage sales, not to exceed four (4) three-day periods, which need not be consecutive, per calendar year.
- h. Hair care services carried on by only one (1) inhabitant of the dwelling. No other employee shall be permitted.

- i. Small day care home.
- j. Sales directly related but merely ancillary to the primary home occupation, such as:

- (1) Sale of hair care products by a beautician or barber.
- (2) Sale of accompaniment items, such as neckties, bows, ribbons or belts for a tailor or dressmaker.
- (3) Sale of component parts or accessories used in repair services for electronics, small appliances, bicycles, etc.
- (4) Supplies related to a class, course of instruction, or lessons conducted on the site.
- (5) Sale of artistic or craft works which were created on the site, such as pottery, jewelry, dolls, portraits, paintings, sculptures, etc.
- (6) Sale of ~~plants and produce grown on the premises~~

AGRICULTURAL PRODUCTS GROWN, RAISED OR PRODUCED ON THE PREMISES. AGRICULTURAL PRODUCTS INCLUDE RAW VEGETABLES, FRUITS, HERBS, FLOWERS, PLANTS, NUTS, HONEY AND EGGS. VALUE-ADDED AGRICULTURAL PRODUCTS, WHICH ARE MADE FROM RAW AGRICULTURAL PRODUCTS GROWN, RAISED, OR PRODUCED ON SITE, SUCH AS JAMS, JELLIES, OILS, VINEGARS, AND CHEESES, MAY ALSO BE SOLD. THE SALE OF AGRICULTURAL PRODUCTS AND VALUE-ADDED AGRICULTURAL PRODUCTS MAY BE CONDUCTED OUTDOORS AS A PRODUCE STAND USE.

Section 6: Sections 26-635, 26-636, and 26-637 are hereby added to Article VI. Supplementary Regulations:

SECTION 26-635 FARMERS' MARKETS.

FARMERS' MARKET USES, AS DEFINED IN SECTION 26-123 AND WHERE ALLOWED PER SECTION 26-204, SHALL COMPLY WITH THE FOLLOWING REGULATIONS.

- A. TEMPORARY CANOPIES:** TEMPORARY CANOPIES MAY BE ALLOWED IN ORDER TO PROVIDE PROTECTION FROM THE ELEMENTS FOR BOTH THE OPERATORS AND PRODUCTS.
- B. SIGNAGE:** A FARMERS' MARKET IS PERMITTED TO HAVE ONE TEMPORARY SIGN OR BANNER, WHICH IS NON-ILLUMINATED AND NO GREATER THAN 50 SQUARE FEET IN SIZE. SUCH SIGN OR BANNER MUST BE LOCATED ON THE PREMISES AND MAY ONLY BE DISPLAYED WHEN THE MARKET IS IN OPERATION.
- C. HOURS OF OPERATION:** IN RESIDENTIAL ZONE DISTRICTS, HOURS OF OPERATION FOR FARMERS' MARKETS SHALL BE RESTRICTED FROM 7 A.M. TO SUNSET.

- D. SUBMITTAL TO COMMUNITY DEVELOPMENT DEPARTMENT:** A SUBMITTAL WITH OPERATIONAL INFORMATION INCLUDING HOURS AND DAYS OF OPERATION, A PARKING PLAN, AND WRITTEN APPROVAL FROM THE OWNER OF THE PROPERTY WHERE THE FARMERS' MARKET WILL OCCUR, IS REQUIRED FOR REVIEW AND APPROVAL BY THE COMMUNITY DEVELOPMENT DEPARTMENT. SUCH SUBMITTAL MAY BE SUBMITTED AND REVIEWED THROUGH THE BUSINESS LICENSE APPLICATION PROCESS, AS REQUIRED PER CHAPTER 11, ARTICLE 2 OF THE CODE OF LAWS.

SECTION 26-636 PRODUCE STANDS.

PRODUCE STANDS, AS DEFINED IN SECTION 26-123 AND WHERE ALLOWED PER SECTION 26-204, SHALL COMPLY WITH THE FOLLOWING REGULATIONS.

- A. LOCATION:** PRODUCE STANDS MUST BE LOCATED ON PRIVATE PROPERTY.
- B. PRODUCTS SOLD:** AGRICULTURAL PRODUCTS SUCH AS RAW VEGETABLES, FRUITS, HERBS, FLOWERS, PLANTS, NUTS, HONEY AND EGGS ARE SOLD. VALUE-ADDED AGRICULTURAL PRODUCTS, WHICH ARE MADE FROM RAW AGRICULTURAL PRODUCTS GROWN, RAISED, OR PRODUCED ON-SITE, SUCH AS JAMS, JELLIES, OILS, VINEGARS, AND CHEESES, MAY ALSO BE SOLD AT PRODUCE STANDS. PRODUCTS SOLD AT PRODUCE STANDS MUST HAVE BEEN PRIMARILY GROWN, RAISED, OR PRODUCED ON THE SAME PROPERTY WHERE THE STAND IS LOCATED.
- C. SEASONAL OPERATIONS:** PRODUCE STANDS MAY OPERATE FOR UP TO 6 MONTHS OF THE YEAR. WHEN THE PRODUCE STAND IS NOT IN USE, IT MUST BE REMOVED AND STORED INDOORS.
- D. HOURS OF OPERATION:** IN RESIDENTIAL ZONE DISTRICTS, HOURS OF OPERATION SHALL BE RESTRICTED FROM 7 A.M. TO SUNSET.
- E. HOME OCCUPATION REQUIREMENT:** WHERE A PRODUCE STAND IS LOCATED ON A PROPERTY WITH A RESIDENTIAL DWELLING UNIT, IT SHALL QUALIFY AS A HOME OCCUPATION AND MUST COMPLY WITH THE REGULATIONS IN SECTION 26-613.
- F. SIGNAGE:** PRODUCE STANDS OPERATING AS HOME OCCUPATIONS SHALL BE ALLOTTED ONE NON-ILLUMINATED SIGN UP TO 2 SQUARE FEET IN SIZE, AS DEFINED IN SECTION 26-709. ALL OTHER PRODUCE STANDS ARE PERMITTED TO HAVE ONE NON-ILLUMINATED SIGN UP TO 6 SQUARE FEET IN SIZE WITH A MAXIMUM HEIGHT OF 5 FEET. THE SIGN MAY NOT BE DISPLAYED WHEN THE STAND IS NOT IN OPERATION.

- G. *PARKING*: TEMPORARY OFF-STREET PARKING IS REQUIRED IF THERE IS NOT ADEQUATE ON-STREET PARKING ON ADJACENT STREETS.**

SECTION 26-637 URBAN GARDENS.

URBAN GARDENS, AS DEFINED IN SECTION 26-123 AND WHERE ALLOWED PER SECTION 26-204, SHALL COMPLY WITH THE FOLLOWING REGULATIONS.

- A. *SIGNAGE*: EACH URBAN GARDEN IS PERMITTED ONE NON-ILLUMINATED SIGN UP TO 6 SQUARE FEET IN SIZE, WITH A MAXIMUM HEIGHT OF 5 FEET.**
- B. *LANDSCAPE BUFFER*: WHERE URBAN GARDENS DIRECTLY ABUT A RESIDENTIALLY OR AGRICULTURALLY ZONED LOT WITH A RESIDENTIAL USE, THERE SHALL BE A MINIMUM 5-FOOT LANDSCAPED BUFFER BETWEEN THE GARDEN OR FARM AREA AND THE PROPERTY LINE.**
- C. *PARKING*: ON-SITE PARKING MAY BE REQUIRED IF THERE IS NOT ADEQUATE ON-STREET PARKING ON ADJACENT STREETS. A PARKING PLAN SHALL BE INCLUDED IN THE SUBMITTAL TO THE COMMUNITY DEVELOPMENT DEPARTMENT, AS REQUIRED IN G. BELOW. WHERE ON-SITE PARKING IS PROVIDED, THE AREAS USED FOR PARKING AND ACCESS TO PARKING SHALL BE SURFACED WITH DURABLE AND DUSTLESS MATERIALS INCLUDING CONCRETE, ASPHALT, COMPACTED CRUSHED STONE, COMPACTED GRAVEL, RECYCLED ASPHALT, OPEN AND CLOSED PAVERS OR SIMILAR MATERIALS. THE PARKING AREA SHALL BE BUILT SO THAT MATERIALS USED IN THE PARKING SURFACE STAY CONTAINED WITHIN THE PARKING PAD, THROUGH THE USE OF CURBS, RAILROAD TIES, ETC.**
- D. *PERMITTED STRUCTURES*: PRIMARY AND ACCESSORY STRUCTURES ARE ALLOWED. ACCESSORY STRUCTURES SUCH AS SHEDS AND GREENHOUSES ARE PERMITTED WHETHER OR NOT THE LOT CONTAINS A PRIMARY OR MAIN STRUCTURE. ALL STRUCTURES SHALL COMPLY WITH THE REGULATIONS FOR PRIMARY AND ACCESSORY STRUCTURES, INCLUDING MAXIMUM SIZE, HEIGHT, AND SETBACKS, FOR THE PROPERTY'S ZONE DISTRICT.**
- E. *HOURS OF OPERATION*: IN RESIDENTIAL ZONE DISTRICTS, URBAN GARDENS ARE PERMITTED TO OPERATE FROM 7A.M. TO SUNSET AND ANY EXTERIOR LIGHTING MUST BE SHUT OFF AT SUNDOWN. EXTERIOR LIGHTING IN ALL ZONE DISTRICTS SHALL COMPLY WITH THE EXTERIOR LIGHTING STANDARDS IN SECTION 26-503.**

Section 7: The Table of Uses in Section 26-1111 of the Code are amended to read:

Permitted Uses				
Use Group	MU-C	MU-C Interstate	MU-C TOD	MU-N
Residential				
Assisted living facility	P	P	P	P
Dwelling, single detached	NP	NP	NP	P
Dwelling, single attached	P	P	P	P
Dwelling, duplex	P	NP	NP	P
Dwelling, multiple	P	P	P	P
Dwelling, live/work	P	P	P	P
Foster care home	NP	NP	NP	P
Residential group home	P	P	P	P
Public, Civic, and Institutional				
Community buildings and cultural facilities, including libraries, museums, and art galleries	P	P	P	P
Hospital	C	C	C	NP
Parks, open space, playgrounds, and plazas	P	P	P	P
Place of worship	P	P	P	P
Public uses and buildings	P	P	P	P
Recreation facilities, indoor and outdoor	P	P	P	P
Schools, public and private; colleges, universities, and trade schools	P	P	P	P
Utilities, major	NP	NP	NP	NP
Utilities, minor	P	P	P	P
URBAN GARDENS (SEE §26-637)	P	P	P	P
Transit stations, public or private	C	C	C	C
Commercial Services and Retail				
Adult entertainment	NP	NP	NP	NP
Animal daycare, indoor with no outdoor runs or pens	P	P	P	P
Bail bonds (per §26-634)	C	C	NP	NP
Banks and financial institutions, no drive-through or drive-up	P	P	P	P
Banks and financial institutions, with drive-through or drive-up	C	P	C	C
Bars, taverns, and night clubs	P	P	P	P

Permitted Uses				
Use Group	MU-C	MU-C Interstate	MU-C TOD	MU-N
Bed and breakfast	P	P	P	P
Car washes	NP	C	NP	NP
Day care center, child and adult	P	P	P	P
Drive-up or drive-through uses (per §26-1106.E)	C	P	C	C
Eating establishment, sit down	P	P	P	P
Eating establishment, drive- through or drive-up	C	P	C	C
Fast food eating establishment, drive-through or drive-up	C	P	C	C
Motor fueling stations	C	C	NP	C
Motor vehicles sales, outdoor display	NP	NP	NP	NP
Motor vehicle sales, indoor display	P	P	C	C
Outdoor storage	NP	NP	NP	NP
Pawn brokers	NP	NP	NP	NP
Personal services	P	P	P	P
Photocopying and printing	P	P	P	P
PRODUCE STANDS (SEE §26- 636 AND §26-613 FOR HOME OCCUPATIONS)	P	P	P	P
Recreation facilities, commercial	P	P	P	P
Repair, rental and servicing of automobiles, no outdoor storage	C	P	C	C
Retail sales – up to 20,000 gsf for one tenant space	P	P	P	P
Retail sales – up to 60,000 gsf for one tenant space	P	P	C	C
Retail sales – over 60,000 gsf for one tenant space	C	C	NP	NP
URBAN GARDENS (SEE §26- 637)	P	P	P	P
Veterinary clinics and hospitals, no outdoor runs or pens	P	P	P	P
Hospitality and Entertainment				
Art studios and galleries	P	P	P	P
Hotels, motels, and extended stay lodging	P	P	P	P

Permitted Uses				
Use Group	MU-C	MU-C Interstate	MU-C TOD	MU-N
Studios, including art, music, dance, television and radio broadcasting stations	P	P	P	P
Theaters	P	P	P	P
Office and Industrial				
Medical and dental clinics	P	P	P	P
Offices	P	P	P	P
Office-warehouse, no outdoor storage	C	C	C	NP
Outdoor storage	NP	NP	NP	NP
Restricted light industrial	C	C	C	NP
Wholesale	C	C	C	C
Ancillary Uses				
Parking facilities	P	P	P	P
Temporary Uses				
Special events, including festivals and farmers markets. FOR FARMERS' MARKETS, SEE § 26-635	P	P	P	P

Key: P = Permitted C = Conditional Use (see § 26-1117) NP = Not Permitted

Section 8: Table 1 in Section 26-709 of the Code is amended to include the following sign types:

TABLE INSET:

TABLE 1. SIGN STANDARDS IN RESIDENTIAL, AGRICULTURAL, AND PUBLIC FACILITIES ZONES (R-1, R-1A, R-1B, R-1C, R-2, R-2A, R-3, R-3A, A-1, A-2, PF)						
TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
13. Miscellaneous						
Q. FARMER'S MARKET SIGN	YES	NO	NO LARGER THAN 50 SQUARE FEET.	1 PER FARMER'S MARKET	NONE	MAY NOT BE ILLUMINATED. MAY ONLY BE ON DISPLAY WHEN THE MARKET IS IN OPERATION. SEE § 26-635

TABLE 1. SIGN STANDARDS IN RESIDENTIAL, AGRICULTURAL, AND PUBLIC FACILITIES ZONES (R-1, R-1A, R-1B, R-1C, R-2, R-2A, R-3, R-3A, A-1, A-2, PF)

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
R. PRODUCE STAND SIGN	YES	NO FOR TEMPORARY FREESTANDING SIGNS. YES FOR PERMANENT WALL SIGNS.	WHERE PRODUCE STAND IS A HOME OCCUPATION, THE SIGN MUST MEET REQUIREMENTS FOR HOME OCCUPATION SIGNS IN F. ALL OTHER PRODUCE STANDS MAY HAVE ONE SIGN UP TO 6 SQUARE FEET IN SIZE AND UP TO 5 FEET IN HEIGHT.	1 PER STAND	5 FEET	MAY NOT BE ILLUMINATED. MAY ONLY BE ON DISPLAY DURING MONTHS WHEN THE PRODUCE STAND IS OPERATIONAL. SEE § 26-636
S. URBAN GARDEN SIGN	YES	YES	MAXIMUM SIZE OF 6 SQUARE FEET AND MAXIMUM HEIGHT OF 5 FEET	1	5 FEET	MAY NOT BE ILLUMINATED. SEE § 26-637

Section 9: Table 1 in Section 26-710 of the Code is amended to include the following sign types:

TABLE INSET:

TABLE 1. SIGN STANDARDS IN COMMERCIAL, INDUSTRIAL AND MIXED USE DISTRICTS (NC, RC, C-1, C-2, I)

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
13. Miscellaneous						

TABLE 1. SIGN STANDARDS IN COMMERCIAL, INDUSTRIAL AND MIXED USE DISTRICTS
(NC, RC, C-1, C-2, I)

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
Q. FARMERS' MARKET SIGN	YES	NO	NO LARGER THAN 50 SQUARE FEET.	1 PER FARMERS' MARKET	NONE	MAY NOT BE ILLUMINATED. MAY ONLY BE ON DISPLAY WHEN THE MARKET IS IN OPERATION. SEE § 26-635
R. PRODUCE STAND SIGN	YES	NO FOR TEMPORARY FREESTANDING SIGNS. YES FOR PERMANENT WALL SIGNS.	MAXIMUM SIZE OF 6 SQUARE FEET AND MAXIMUM HEIGHT OF 5 FEET.	1 PER STAND	5 FEET	MAY NOT BE ILLUMINATED. MAY ONLY BE ON DISPLAY DURING MONTHS WHEN THE PRODUCE STAND IS OPERATIONAL. SEE § 26-636
S. URBAN GARDEN SIGN	YES	YES	MAXIMUM SIZE OF 6 SQUARE FEET AND MAXIMUM HEIGHT OF 5 FEET	1	5 FEET	MAY NOT BE ILLUMINATED. SEE § 26-637

Section 10: Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 11: Severability; Conflicting Ordinances Repealed. If any section, subsection or clause of the ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall

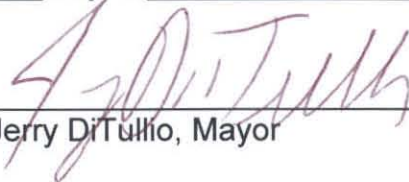
not be affected thereby. All other ordinances or parts of the ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 12: Effective Date. This Ordinance shall take effect fifteen days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 9th day of May, 2011, ordered published with Public Hearing and consideration of final passage set for **Monday, May 23rd, 2011 at 7:00 p.m.**, in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado, and that it takes effect 15 days after final publication.


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 5 to 2, this 23rd day of May, 2011.

SIGNED by the Mayor on this 23rd day of May, 2011.

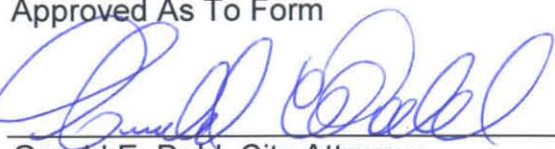


Jerry DiTullio, Mayor

ATTEST:



Michael Snow, City Clerk

Approved As To Form


Gerald E. Dahl, City Attorney

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