

**TOWN OF NEDERLAND  
Boulder County, Colorado**

**RESOLUTION NO. 2008-19**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
NEDERLAND, COLORADO CONCERNING THE NEDERLAND DOWNTOWN  
DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT**

**WHEREAS**, C.R.S. § 31-25-807(2)(d) empowers downtown development authorities to “plan and propose, within the downtown development area, plans of development for public facilities and other improvements to public or private property of all kinds, including removal, site preparation, renovation, repair, remodeling, reconstruction, or other changes in existing buildings which may be necessary or appropriate to the execution of any such plan which in the opinion of the board [of directors] will aid and improve the downtown development area;” and

**WHEREAS**, pursuant to C.R.S. § 31-25-807(2)(e), these plans of development may be economic or physical; and

**WHEREAS**, pursuant to C.R.S. § 31-25-807(4), a downtown development authority may not actually undertake a specific development project for a plan of development area unless the plan of development that relates to such project has been previously reviewed by the planning commission and approved by the governing body of the municipality after a public hearing; and

**WHEREAS**, the Board of Trustees approved Resolution No. 2005-17, which approved the economic plan of development for the Nederland Downtown Development Authority (the “DDA”) on December 6, 2005; and

**WHEREAS**, on October 17, 2006, the Board of Trustees approved a list of priorities for the physical plan of development, that included general concept plans for circulation, a riverwalk, beautification, a town square and support for specific development projects; and

**WHEREAS**, no public hearing has yet been held regarding an overall plan of development that includes physical plans for specific development projects, as is required by state statutes; and

**WHEREAS**, the Board of Trustees wishes to provide information to the DDA regarding the type of information it wishes to see in an overall plan of development;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES  
OF THE TOWN OF NEDERLAND, COLORADO:**

1. The DDA has previously prepared a Strategic Master Plan that explains the purpose and goals of the DDA, describes current projects within the DDA district and lists the general areas of activity on which the DDA intends to focus its attentions. The Strategic Master Plan may be amended from time to time with the approval of the Board of Trustees.

2. Before applying for any grant, the DDA shall submit to the Board of Trustees a concept plan, including a bubble diagram map showing, as applicable: (i) the vicinity of proposed improvements, if any; (ii) use areas; (iii) current zoning; (iv) significant topographic features; (v) geologic hazard areas; (vi) existing structures; (vii) total acreage of the property; (viii) a land use table including all proposed land uses, approximate acreage of each use and percentage of total for each use; (ix) floodplain boundaries. The concept plan shall be consistent with the approved Strategic Master Plan.

3. Before implementing any specific development project, the DDA shall submit to the Board of Trustees an overall plan of development that includes such project. This overall plan of development, which is consistent with the approved Strategic Master Plan and the concept plan, may include the entire area within the boundaries of the DDA (the "DDA Area") or a portion of the DDA Area. Pursuant to state statutes, the Board of Trustees will refer the overall plan of development to the Planning Commission for its review and recommendation. Thereafter, the Board of Trustees shall hold a public hearing on the overall plan of development and shall approve the overall plan of development if it finds that there is a need to take corrective measures in order to halt or prevent deterioration of property values or structures within the overall plan of development area or to halt or prevent the growth of blighted areas therein, and if it finds that the plan will afford maximum opportunity, consistent with the sound needs and plans of the municipality as a whole, for the development or redevelopment of the plan of development area by the DDA and by private enterprise.

4. The overall plan of development, prepared by the DDA, shall show land uses, arrangement of uses, general circulation patterns and characteristics, parking, methods of encouraging use of alternative transportation modes, areas of the site to be preserved from development, general architectural characteristics, any special height and view corridor limitations, environmental preservation and enhancement concepts, and other factors as needed to carry out the objectives of the DDA and shall include the following:

a. A vicinity map, drawn to scale, showing the site and an area of not less than three hundred feet radius around the plan of development area, including streets, zoning, general location of buildings, and parking areas of abutting properties;

b. A scaled and dimensioned schematic drawing of the development concept, and an area of not less than two hundred feet around the plan of development area, showing:

1. Access points and circulation patterns for all modes of transportation;
2. Approximate locations of trails, pedestrian and bikeway connections, on-site transit amenities and parking areas;
3. Approximate location of major site elements, including buildings, open areas, natural features such as watercourses, wetlands, mature trees, and steep slopes; and

4. Proposed land uses and approximate location;
- c. Architectural character sketches showing building elevations and materials;  
and
- d. A written statement that describes, in general, how the proposed development meets the objectives of the DDA.

At the Board of Trustee's discretion, any of these requirements may be waived.

5. Before commencing a DDA development project that involves public improvements of any type, including but not limited to water, sewer, roads, parking, sidewalks or buildings, or concerns public utilities, the DDA shall provide complete design and construction details for the development project to the Town Administrator and the Public Works Director to ensure compliance with all Town regulations.

6. Plans of development adopted by the DDA shall conform to the Sustainability Policy, attached hereto as Exhibit A and incorporated herein by this reference.

7. Approval of a plan of development is only one pre-requisite to commencing a development project within the plan of development area. The DDA must also follow all Town subdivision, zoning, building and comprehensive plan regulations and processes. It shall also adhere to the priorities listed in the overall DDA plan of development.

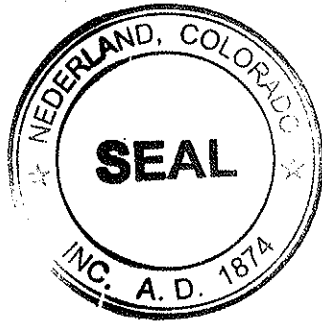
8. In developing its overall plan of development for the DDA Area, the DDA shall incorporate the following list of priorities established jointly between the DDA, the Board of Trustees, and the Planning Commission. Grant opportunities may affect the order in which these priorities are implemented:

- (1) No net loss of parking. Because tourism presently plays a key role in the Town economy, parking for tourists is critical. In order to be approved by the Board of Trustees, the overall DDA plan of development shall include a plan for parking that includes no net loss of parking in either the DDA Area or in the Central Business District zone district (the "CBD"). Any DDA development project within the CBD that includes the loss of any existing parking in the CBD must offset that loss of parking, if not within the development project area, at least within the CBD. Any development project within the remainder of the DDA Area that includes the loss of any existing parking must offset that loss somewhere within the DDA Area.
- (2) Additional parking to benefit the CBD. The overall DDA plan of development shall include a plan to develop and finance additional public parking spaces in the CBD to accommodate the anticipated build-out in the CBD.
- (3) Oversized vehicle parking. The overall DDA plan of development shall include a plan for the parking of oversized/recreational vehicles.

- (4) Street improvements. The overall DDA plan of development shall consider street improvements including curb, gutter, storm sewer, sidewalks and cross-walks
- (5) Signage. The overall DDA plan of development shall include a signage plan that includes welcome signs and better signage overall for parking and shopping
- (6) Riverwalk improvements. All DDA development projects that are adjacent to Middle Boulder Creek shall preserve or secure trail easements adjacent to the Creek for a riverwalk similar to the Estes Park riverwalk
- (7) Beautification. All DDA development projects shall include details related to beautification including, for example, light posts, benches, planters, banners
- (8) Support for private development projects. The DDA shall coordinate its development projects with those of private individuals in the DDA boundary to achieve cohesiveness.
- (9) Any additional projects may be considered.

**RESOLVED, APPROVED and ADOPTED this 17<sup>th</sup> day of June, 2008.**

TOWN OF NEDERLAND



ATTEST:

By: Martin Cheshes  
Martin Cheshes, Mayor

Christi Icenogle  
Christi Icenogle, City Clerk