

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 19

DATE: July 1, 2008

STAFF: Ted Shepard

SUBJECT

Second Reading of Ordinance No. 073, 2008, Making Various Amendments to the City of Fort Collins Land Use Code.

RECOMMENDATION

Staff recommends adoption of this Ordinance on Second Reading.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on June 3, 2008, makes a variety of proposed changes, additions and clarifications identified by staff in the Spring 2008 biannual update of the Land Use Code. The amendments approved on First Reading include a provision establishing a new process whereby the City Council could hold a preliminary conceptual hearing with regard to land use proposals that entail not only specific project development plans, but also legislative decisions of the Council pertaining to annexation, property acquisition, amendments to the City's comprehensive plan, and/or public-private partnerships. The ordinance presented on Second Reading adds an additional sentence to this provision stating that, if the only legislative action involved in the proposal is a possible financial partnership with the City or the provision of some financial incentive to the applicant from the City, the City Manager must agree that the proposed partnership or financial incentive warrants Council consideration in order for a hearing before the Council to be scheduled.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - June 3, 2008.
(w/o original attachments)

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 30

DATE: June 3, 2008

STAFF: Ted Shepard

COPY

SUBJECT

First Reading of Ordinance No. 073, 2008, Making Various Amendments to the City of Fort Collins Land Use Code.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading. The Planning and Zoning Board recommends all but one of the proposed changes. That change is discussed below.

EXECUTIVE SUMMARY

Staff has identified a variety of proposed changes, additions and clarifications in the 2008 annual update of the Land Use Code.

COPY

BACKGROUND

The Land Use Code was first adopted in March 1997. Subsequent revisions have been recommended on a regular basis to make changes, additions, deletions and clarifications that have been identified since the last update. The proposed changes are offered in order to resolve implementation issues and to continuously improve both the overall quality and “user-friendliness” of the Code.

On May 15, 2008, the Planning and Zoning Board considered the proposed changes and voted 7 – 0 to recommend approval of 13 of the changes except, with regard to the changes proposed to Section 2.1.2 of the Land Use Code, the Board defeated a motion recommending approval with conditions by a vote of 4-2 (1 member abstained). The proposed change to Section 2.1.2 that the Board does not recommend would establish a new process whereby the City Council could hold a preliminary conceptual hearing with regard to land use proposals that entail not only specific project development plans, but also legislative decisions of the Council pertaining to annexation, property acquisition, amendments to the City's comprehensive plan, and/or public-private partnerships.

Quasi-judicial decisions such as the review and approval of a project development plan call for different legal procedures and safeguards than decisions regarding such matters as annexations and amendments to the City's comprehensive plan, which are legislative in nature. The quasi-judicial procedures and safeguards are intended to ensure that: (1) the particular parties affected by such

decisions have notice and an opportunity to be heard, (2) the decisions are based solely upon specific criteria and the evidence presented at the quasi-judicial hearings, and (3) the decisions are made by an impartial tribunal that is able to fairly and objectively apply the appropriate criteria.

The application of these principles to situations involving both quasi-judicial and legislative decisions sometimes unnecessarily impedes the effective flow of information regarding the legislative aspects of these more complex proposals and prevents the Council from providing timely feedback to applicants about the feasibility of proceeding with more formal proposals, so that they can make decisions in that regard without having to expend substantial amounts of time and money.

The staff believes that it may be in the best interests of the City in these situations to create an on-the-record opportunity, prior to the time that a formal application is presented to the City, for Council to: (1) gather information about such proposals; (2) hear from the prospective applicants, as well as interested members of the community, about the advisability of the proposals from a planning, land use, environmental and economic development standpoint; and (3) share their individual ideas and concerns about such proposals.

The City Manager and City Attorney have recommended a procedure for creating such a forum. The Planning and Zoning Board's primary concern about the proposal is that, although this kind of conceptual hearing before the Council would not result in any formal action on the part of the Council, Councilmembers' remarks at the hearing might tend to predetermine, or at least influence, the eventual outcome of the project development plan. For example, a development plan that is filed with the City and reviewed by the Board is supposed to be reviewed under the Land Use Code criteria. If, at this earlier hearing, Councilmembers have indicated general approval for the concept proposed by the developer, the Board is concerned that there may be undue pressure on them to approve the project or perhaps even undue pressure on the Council, in the event of an appeal. On the other hand, the Board is also concerned that negative comments by Councilmembers at the conceptual hearing may unnecessarily deter applicants from even pursuing a formal application.

ATTACHMENTS

1. Issues List.
2. Annotated Ordinance Index
3. Annotated Issue List.
4. Planning and Zoning Board Minutes for 13 items numbered 780-799.
5. Planning and Zoning Board Minutes for Item #800.

COPY

ORDINANCE NO. 073, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING VARIOUS AMENDMENTS
TO THE CITY OF FORT COLLINS LAND USE CODE

WHEREAS, on March 18, 1997, by Ordinance No. 051, 1997, the Council of the City of Fort Collins adopted the Fort Collins Land Use Code (the "Land Use Code"); and

WHEREAS, at the time of the adoption of the Land Use Code, it was the understanding of staff and Council that the Land Use Code would most likely be subject to future amendments, not only for the purpose of clarification and correction of errors, but also for the purpose of ensuring that the Land Use Code remains a dynamic document capable of responding to issues identified by staff, other land use professionals and citizens of the City; and

WHEREAS, the staff of the City and the Planning and Zoning Board have reviewed the Land Use Code and identified and explored various issues related to the Land Use Code and have made recommendations to the Council regarding such issues; and

WHEREAS, the Council has determined that the Land Use Code amendments which have been proposed are in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Land Use Code is hereby amended as follows:

Section 1. That Section 1.3.4 of the Land Use Code is hereby amended to read as follows:

1.3.4 Addition of Permitted Uses

(A) ***Required Findings.*** In conjunction with a particular development proposal and upon application by the applicant or on the Director's own initiative, the Director (or the Planning and Zoning Board as specifically authorized in subparagraphs (5) and (6) below) may add to the uses specified in a particular zone district any other similar use which conforms to all of the following conditions:

- (1) Such use is appropriate in the zone district to which it is added;
- (2) Such use conforms to the basic characteristics of the zone district and the other permitted uses in the zone district to which it is added;
- (3) Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or any more traffic hazards, traffic generation or attraction, adverse environmental

impacts, adverse impacts on public or quasi-public facilities, utilities or services, adverse effect on public health, safety, morals or aesthetics, or other adverse impacts of development, than the amount normally resulting from the other permitted uses listed in the zone district to which it is added;

- (4) Such use is compatible with the other listed permitted uses in the zone district to which it is added;
- (5) Such use is not specifically listed by name as a prohibited use in the zone district to which it is added, or if such use is prohibited, the proposed use is specific to the proposed site, is not considered for a text amendment under paragraph (B) below, and is specifically found by the Planning and Zoning Board to not be detrimental to the public good and to be in compliance with the requirements and criteria contained in Section 3.5.1;
- (6) Such use is not specifically listed as a "Permitted Use" in Article 4 or if such use is not specifically listed, the proposed use is specific to the proposed site, is not considered for a text amendment under paragraph (B) below, and is specifically found by the Planning and Zoning Board to not be detrimental to the public good and to be in compliance with the requirements and criteria contained in Section 3.5.1. (See Section 2.9 for the procedures for text amendments.)

...

- (C) **Conditions.** When any use has been added to the list of permitted uses in any zone district in accordance with this Section, the Director (or the Planning and Zoning Board, if applicable) may impose such conditions and requirements on such use as are necessary or desirable to accomplish the purposes and intent of this Land Use Code, to ensure consistency with City Plan and its adopted components and associated sub-area plans, to prevent or minimize adverse effects and impacts upon the public and neighborhoods, and to ensure compatibility of uses.

Section 2. That Section 2.1.2 of the Land Use Code is hereby amended by the addition of new subparagraphs (H) and (I) which read as follows:

2.1.2 Overview of Development Review Procedures

This article establishes the development review procedures for different types of development applications and building permits within the city.

...

- (H) *Is it possible to receive preliminary feedback from the City Council regarding complex development proposals?* When an

application for approval of a development plan also entails the approval of an annexation petition or an amendment to the City's Comprehensive Plan or some other kind of legislative action by the City Council, the applicant for such approval may request that the City Council conduct a hearing, prior to submittal of the development application or annexation petition, for the purpose of receiving preliminary comments from the City Council regarding the overall proposal. However, if the only legislative action involved in the proposal is a possible financial partnership with the City or the provision of some financial incentive to the applicant from the City, the City Manager must agree that the proposed partnership or financial incentive warrants Council consideration in order for a hearing before the Council to be scheduled. Such hearing will then be held in accordance with the provisions contained in Steps 6, 7(B) and 7(C) of the Common Development Review Procedures, except that the signs required to be posted under Step 6(B) shall be posted subsequent to the scheduling of the hearing and not less than fourteen (14) days prior to the date of the hearing. At the time of requesting the hearing, the applicant must advance the City's estimated costs of providing notice of the hearing. Any amounts paid that exceed actual costs will be refunded to the applicant. At the conclusion of the hearing, members of the City Council may, but shall not be required to, comment on the proposal. Any comment, suggestion, or recommendation made by any Councilmember with regard to the proposal does not bind or otherwise obligate any City decision maker to any course of conduct or decision pertaining to the proposal. Only one such hearing may be requested.

(I) *Is it permissible to talk with decision makers “off the record” about a development plan prior to the decision makers' formal review of the application?* No. Development plans must be reviewed and approved in accordance with the provisions of this Land Use Code and the City's decision whether to approve or deny an application must be based on the criteria established herein and on the information provided at the hearings held on the application. In order to afford all persons who may be affected by the review and approval of a development plan an opportunity to respond to the information upon which decisions regarding the plan will be made, and in order to preserve the impartiality of the decision makers, decision makers who intend to participate in the decisions should avoid communications with the applicant or other members of the public about the plan prior to the hearings in which they intend to participate.

Section 3. That Section 2.11.1(B)(1) of the Land Use Code is hereby amended to read as follows:

(B) ***Applicability.*** This Division shall apply to appeals from an administrative decision regarding the interpretation and/or application of the land use regulations which preceded this Land Use Code, and to appeals from the

following administrative decisions made under this Land Use Code, provided such administrative decision is not for approval, approval with conditions, or denial either of a project development plan or a final plan pursuant to Divisions 2.4 or 2.5 or of an administrative amendment/abandonment of any such plan or of any plan approved under prior law, processed pursuant to Section 2.2.10 (Step 10):

- (1) Addition of a Permitted Use by Director (but not by Planning and Zoning Board) under Section 1.3.4;

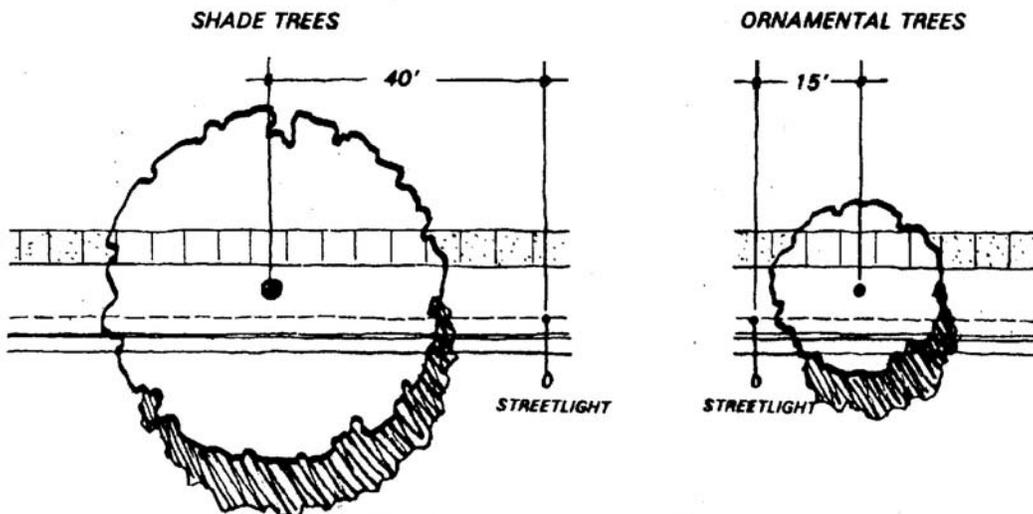
...

Section 4. That Section 3.2.1(K) of the Land Use Code is hereby amended to read as follows:

- (K) **Utilities and Traffic.** Landscape, utility and traffic plans shall be coordinated. The following list sets forth minimum dimension requirements for the most common tree/utility and traffic control device separations. Exceptions to these requirements may occur where utilities or traffic control devices are not located in their standard designated locations, as approved by the Director. Tree/utility and traffic control device separations shall not be used as a means of avoiding the planting of required street trees.

- (1) Forty (40) feet between shade trees and streetlights. Fifteen (15) feet between ornamental trees and streetlights. (See Figure 2.)

Figure 2
Tree/Streetlight Separations



- (2) Twenty (20) feet between shade and/or ornamental trees and traffic control signs and devices.

- (3) Ten (10) feet between trees and water or sewer mains.
- (4) Six (6) feet between trees and water or sewer service lines.
- (5) Four (4) feet between trees and gas lines
- (6) Street trees on local streets planted within the eight-foot-wide utility easement may conflict with utilities. Additional conduit may be required to protect underground electric lines.

Section 5. That Section 3.3.2(F) of the Land Use Code is hereby amended to read as follows:

F) ***Off-Site Public Access Improvements.***

...

(2) ***Costs and Reimbursements.*** When the developer of any property constructs an off-site street, street intersection, sidewalk, alley, path or other related improvements to serve the development site or constructs such improvements along the perimeter of the development site, the entire cost of such construction (including right-of-way acquisition) shall be the responsibility of such developer. If, within twelve (12) months of the completion and acceptance by the city of such improvements, the developer installing such improvements (the "Installing Developer") has entered into a reimbursement agreement with the city in the manner prescribed by this Section, then, at the time that other property adjacent to the improvements (the "Adjacent Property") is developed or redeveloped and access to such improvements is accomplished or other benefit from such improvements is conferred, the city may collect from the developer of the Adjacent Property a proportionate charge, based upon the cost incurred by the Installing Developer, plus an inflation factor, and based upon the benefit conferred upon the Adjacent Property. For the purpose of this provision, benefit to the Adjacent Property may include, among other things, the construction of improvements that will allow the Adjacent Property to be developed in accordance with the requirements of Section 3.6.4, where in the absence of the improvements, such development would not be allowed to proceed. Said charge, if imposed by the City, shall be paid prior to the issuance of any building permits for the Adjacent Property; provided, however, that the city shall not attempt to make such collection unless the reimbursement agreement has been timely and properly prepared, executed and delivered to the city. If such charge is collected, the city shall reimburse the Installing Developer to the extent of such collection after deducting a service charge of three (3) percent to cover administrative costs. All costs for the construction (including right-of-way acquisition) of such improvements must be fully paid by the Installing Developer before such person shall be entitled to reimbursement under any agreement established hereunder. The amount of the reimbursement assessed by the city for each Adjacent Property as it develops shall be based on (1) the fair market value (as determined by the city) of any right-of-way acquired by the Installing Developer that was needed for, and is directly attributable to, the improvements, and (2) the original cost of design and construction of the improvements plus an adjustment for inflation based on the construction cost index for Denver, Colorado, as published

monthly by "Engineering News Record." (If said index shows deflation, the adjustment shall be made accordingly, but not below the original cost as submitted by the Installing Developer and approved by the City Engineer.) The original cost of the right-of-way and design and construction shall mean the cost of right-of-way acquisition, financing, engineering, construction and any other costs actually incurred which are directly attributable to the improvements, including any costs incurred for the formation or administration of a special improvement district. The city's obligation to reimburse the Installing Developer shall be contingent upon the city's actual collection of the charge from the developer of the Adjacent Property. In order to obtain approval of a reimbursement agreement from the city, the Installing Developer shall provide the City Engineer with copies of the following, after acceptance of the improvements:

- (a) real estate closing documents and/or appraisals or other documents showing to the satisfaction of the city the fair market value of the right-of-way for the improvements;
- (b) an invoice from the Installing Developer's engineer for any fee assessed on the project;
- (c) the contractor's application for final payment approved by the Installing Developer's engineer;
- (d) a letter from the Installing Developer and/or contractor certifying that final payment has been received by the contractor;
- (e) a letter from the Installing Developer and/or engineer certifying that final payment of engineering fees has been made;
- (f) a map prepared by a licensed engineer or surveyor which shows:
 - 1. the location of the improvements constructed;
 - 2. the name of the owner of each Adjacent Property which is benefited by the improvements;
 - 3. the proportionate benefit conferred upon each Adjacent Property, together with the assessment due based on the original costs;
 - 4. the acreage and parcel number of each Adjacent;
 - 5. a reference to the book, page and reception number from the records of the county Clerk and Recorder where the information for each property was obtained; and
 - 6. any other information deemed necessary by the City Engineer.

Any right to reimbursement pursuant to this provision shall not exceed a period of ten (10) years from the acceptance by the city of the street improvements. The City Council may approve extensions of the reimbursement agreement for additional ten (10) -year periods. No such reimbursement shall be made unless the person entitled to reimbursement has fully satisfied his or her obligations under any other reimbursement agreements with the city.

Section 6. That Section 3.5.1(A) of the Land Use Code is hereby amended to read as follows:

3.5.1 Building and Project Compatibility

- (A) *Purpose.* The purpose of this Section is to ensure that the physical and operational characteristics of proposed buildings and uses are compatible when considered within the context of the surrounding area. They should be read in conjunction with the more specific building standards contained in this Division 3.5 and the zone district standards contained in Article 4. All criteria and regulations contained in this Section that pertain to “developments”, “the development plan”, “buildings”, and other similar terms shall be read to include the application of said criteria and regulations to any determination made by the Planning and Zoning Board under Section 1.3.4(A)(5) and (6) for the purpose of evaluating the authorization of an additional use.

...

Section 7. That Section 3.8.4(A) of the Land Use Code is hereby amended to read as follows:

3.8.4 Child Care Center Regulations

- (A) A minimum of two thousand five hundred (2,500) square feet of outdoor play area shall be provided for fifteen (15) children or fewer, with seventy-five (75) additional square feet being required for each additional child, except that the size of the total play area need only accommodate at least fifty (50) percent of the capacity of the center, and that such outdoor play area shall not be required for drop-in child care centers. For the purposes of this subsection, the capacity of the center is calculated based upon indoor floor space reserved for school purposes of forty (40) square feet per child. Any such play area within or abutting any residential district shall be enclosed by a decorative solid wood fence, masonry wall or chain link fence with vegetation screening, densely planted. The height of such fence shall be a minimum of six (6) feet and shall comply with Section 3.8.11. Where access to preschool nurseries is provided by other than local streets, an off-street vehicular bay or driveway shall be provided for the purpose of loading and unloading children.

...

Section 8. That Section 3.8.17(C) of the Land Use Code is hereby amended to read as follows:

(C) ***Exemptions From Building Height Regulations.*** The following structures and features shall be exempt from the height requirements of this Land Use Code:

- (1) chimneys, smokestacks or flues that cover no more than five (5) percent of the horizontal surface area of the roof;
- (2) cooling towers, ventilators and other similar equipment that cover no more than five (5) percent of the horizontal surface area of the roof;
- (3) elevator bulkheads and stairway enclosures that cover no more than five (5) percent of the horizontal surface area of the roof;
- (4) fire towers;
- (5) utility poles and support structures;
- (6) belfries, spires and steeples;
- (7) monuments and ornamental towers;
- (8) solar energy systems.

Section 9. That Section 4.6(B)(2)(c) of the Land Use Code is hereby amended by the addition of a new subparagraph 6 which reads in its entirety as follows:

6. Restaurant, limited mixed-use.

Section 10. That Section 4.6(B)(3)(c) of the Land Use Code is hereby amended to read as follows:

(c) **Commercial and Retail Uses:**

1. Personal and business service shops.
2. Offices, financial services, clinics and small animal veterinary clinics.

Section 11. That Section 4.8(B)(1)(a)2 of the Land Use Code is hereby amended to read as follows:

...

2. Two-family dwellings where there is only one (1) principal building on the lot, provided that no structural additions or

exterior alterations are made to an existing building or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.

...

Section 12. That Section 4.8(B)(2)(a)2 of the Land Use Code is hereby amended to read as follows:

...

2. Two-family dwellings when there is more than one (1) principal building on the lot, provided that no structural additional or exterior alterations are made to an existing building or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991, and provided that such two-family dwelling is located within a street-fronting principal building.

...

Section 13. That Section 4.9(B)(1)(a)2 of the Land Use Code is hereby amended to read as follows:

...

2. Two-family dwellings when there is only one (1) principal building on the lot.

...

Section 14. That Section 4.9(B)(1)(a)5 of the Land Use Code is hereby amended to read as follows:

...

5. Mixed-use dwellings which are not combined with a use permitted subject to administrative review or Planning and Zoning Board review, provided that no structural additions or exterior alterations are made to the existing building, or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.

...

Section 15. That Section 4.9(B)(2)(a)2 of the Land Use Code is hereby amended to read as follows:

...

2. Two-family dwellings when there is more than one (1) principal building on the lot, provided that such two-family

dwelling is located within a street-fronting principal building.

...

Section 16. That Section 4.9(B)(2)(a)5 of the Land Use Code is hereby amended to read as follows:

...

5. Mixed-use dwellings which are not combined with a use permitted subject to basic development review or Planning and Zoning Board review and which propose structural additions or exterior alterations to the existing building, or the dwellings are to be constructed on a lot or parcel which contained a structure on October 25, 1991.

...

Section 17. That Section 4.9(B)(3)(a) of the Land Use Code is hereby amended by the addition of a new subparagraph 3 which reads in its entirety as follows:

...

3. Mixed-use dwellings which are combined with any other use subject to Planning and Zoning Board review.

Section 18. That Section 4.10(D)(2) of the Land Use Code is hereby amended to read as follows:

(2) *Dimensional Standards.*

- (a) Maximum building height shall be five (5) stories.
- (b) For all setback standards, building walls over thirty-five (35) feet in height shall be set back an additional one (1) foot beyond the minimum required, for each two (2) feet or fraction thereof of wall or building that exceeds thirty-five (35) feet in height. Terracing or stepping back the mass of large buildings is encouraged.

Section 19. That Section 4.13(B)(3)(a) of the Land Use Code is hereby amended to read as follows:

- (3) The following land uses are permitted in the P-O-L District, subject to review by the Planning and Zoning Board:
 - (a) **Institutional/Civic/Public Uses:**

1. Golf courses.
2. Wildlife rescue and education centers.
3. Community facilities.

Section 20. That Section 4.22(B)(2)(d)5 of the Land Use Code is hereby amended to read as follows:

(d) **Industrial Uses:**

...

5. Wholesale distribution.

Section 21. That the table contained in Section 4.24(B)(2)D of the Land Use Code is hereby amended to read as follows:

D. INDUSTRIAL		
Workshops and custom small industry uses	BDR	BDR
Transportation terminals (truck, container storage)	BDR	Not Permitted
Warehouses	BDR	Type 1
Wholesale distribution	BDR	Not Permitted
Light industrial uses	Not Permitted	Type 2
Research laboratories	Not Permitted	Type 1
Outdoor storage facilities consisting only of the storage of vehicles which are towed to the premises and temporarily stored until such vehicles are claimed by the vehicle owners or moved to an auction or junk yard or other similar disposal site, provided that such facilities are located at least thirty-five (35) feet from the flow line of all abutting arterial streets.	Type 1	Not Permitted

Section 22. That Section 4.27(B)(2)(d)4 of the Land Use Code is hereby amended to read as follows:

(d) **Industrial Uses:**

...

4. Wholesale distribution.

...

Section 23. That Section 4.28(B)(2)(d)1 of the Land Use Code is hereby amended to read as follows:

(d) **Industrial Uses:**

1. Wholesale distribution.

...

Section 24. That the “*Prohibited Uses*” paragraph contained in every zone district listed in the Land Use Code is hereby amended to read as follows:

- (C) ***Prohibited Uses.*** All uses that are not (1) expressly allowed as permitted uses in this Section or (2) determined to be permitted by the Director or the Planning and Zoning Board pursuant to Section 1.3.4 of this Land Use Code shall be prohibited.

Section 25. That the definition of “*Director*” contained in Section 5.1.2 of the Land Use Code is hereby amended to read as follows:

Director shall mean the Director of the Planning, Development and Transportation Service Unit.

Section 26. That the definition of “*Long-term care facility*” contained in Section 5.1.2 of the Land Use Code is hereby amended to read as follows:

Long-term care facility shall mean any of the following:

...

- (4) *Independent living facility* shall mean a single-family, two-family and/or multi-family dwelling which is located within a development that contains one (1) or more of the facilities described in (1) through (3) above, wherein the residents of such dwellings have access to the common amenities and services available to residents of the facilities described in (1) through (3) above and wherein independent living facilities occupy no more than twenty-five (25) percent of the total gross floor area of a long-term care development.

Section 27. That the definition of “*Warehouse and distribution*” contained in Section 5.1.2 of the Land Use Code is hereby amended to read as follows:

Wholesale distribution shall mean a use primarily engaged in the sale and distribution of manufactured products, supplies or equipment, including accessory offices or showrooms, and including incidental retail sales, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions, and where the products, supplies or equipment that are distributed from the facility are not used or consumed on the premises. Activities customarily include receiving goods in bulk or large lots and assembling, sorting or breaking down such goods into smaller lots for redistribution or sale to others for resale.

Introduced, considered favorably on first reading, and ordered published this 3rd day of June, A.D. 2008, and to be presented for final passage on the 1st day of July, A.D. 2008.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 1st day of July, A.D. 2008.

Mayor

ATTEST:

City Clerk