CHAPTER 19

COMMERCIAL MIXED USE (CMU) ZONE

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11-19-101 Purpose

The purposes of the Commercial Mixed Use Zone (CMU) are to:

(a) Provide for community commercial centers that allow for complementary multiple-family residential uses.

(b) Encourage a mix of uses in which non-residential development generates revenues for the City and creates jobs, shopping and entertainment opportunities for residents, while residential development generates 24-hour vitality in support of the commercial uses.

(c) Through a Planned Center development process, provide standards for site design, architecture, landscaping and circulation that segregate vehicular and pedestrian traffic, encourage walking and bicycling for recreation and daily errands, and buffer adjacent and internal residential uses from non-residential use impacts.

(d) Employ the demand for higher residential density development generated by mixed-use design to help accomplish Farmington's land preservation goals.

The Commercial Mixed Use zone is intended to be used for developments that are primarily commercial in nature that are located near residential areas. The character of the areas of the City in which the CMU zone may be applied will differ depending on the size and location of the parcel proposed to be re-zoned, and the nature and intensity of uses in the vicinity of the parcel. While the CMU zone may be applied to a property through a zoning request, the appropriate locations, proportions and mix of residential and non-residential uses will be determined for each CMU-zoned area through a Planned

Center site plan approval process, as set forth in this Chapter, in order to ensure that the purposes of the CMU zone are met.

11-19-102 Conflicts

This Chapter provides additional provisions to those set forth in the other Chapters of the City's Zoning Ordinance. In the event of conflict between other provisions of the Zoning Ordinance and this Chapter, the provisions of this Chapter shall apply.

11-19-103 Definitions

The following definitions shall have the meaning set forth below:

(a) Commercial Mixed Use – Areas near residential and commercial areas with a mix of general commercial uses and multiple-family residential development within a pedestrian/bicyclist-friendly environment.

(b) Planned Center Development– An area of land, under unified control, master-planned for development of a mix of land uses that are internally complementary and are compatible with and complement surrounding land uses by utilizing effective site, structure, circulation and landscaping design in a coordinated manner.

11-19-104 Allowable Uses.

The CMU zone provides for a broad variety of land uses. The purpose of the CMU zone is to provide for a mix of uses rather than a single type of use. The specific uses that will be allowed in an CMU zoned area will depend on the location and character of the property to be zoned, the mix and intensities of the uses proposed, and on the character of the surrounding neighborhoods and land uses, and will be determined through the review and approval of either a Planned Unit Development pursuant to Chapter 27 of this Zoning Ordinance, or as a Planned Center Development pursuant to the conditional use permit process.

Among the uses that may be considered for approval in the CMU zone as part of a Planned Center Development are the following:

(1) Agriculture;
(2) Athletic or tennis club;
(3) Bed & Breakfasts;
(4) Business and professional offices;
(5) Class "A" beer outlet;
(6) Class "A" self-storage;
(7) Class "B" beer outlet;
(8) Commercial complex (commercial center), with a maximum floor area of 80,000 square feet for any single tenant;
(9) Commercial indoor recreation (movie theater, video arcade, bowling alley, etc.);

(10) Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.);
(11) Commercial testing laboratories;
(12) Convenience store (sale of grocery items, non-prescription drugs, and/or gasoline from building with less than five thousand (5,000) square feet gross floor area);
(13) Data processing services;
(14) Day care/pre-school center;
(15) Department Store
(16) Dwelling, multiple-family; (minimum density: five (5) units per acre; maximum density: fourteen (14) units per acre);
Financial institutions;
(17) Fast food, detached, with drive-through;
(18) Funeral home;
(19) Greenhouse/garden center (retail or wholesale);
(20) Hotels and motels;
(21) Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry-cleaning, hair styling, coin laundry, pharmacy, art supply/gallery, craft store, photo-copy center, etc.);
(22) Medical clinics, offices and out-patient surgical facilities;
(23) Public and quasi-public uses except the following prohibited uses: correctional/detention facilities, half-way houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer;
(24) Printing/publishing services;
(25) Private school or hospital;
(26) Public park;
(27) Reception center;
(28) Restaurants (traditional sit-down);
(29) Research services and development activities;
(30) Specialty retail stores;
(31) Temporary uses;
(32) Uses customarily accessory to a listed allowable use;
(33) Veterinary hospital (no outdoor kennels)

11-19-105 Impact Analysis Studies

(a) Traffic Impact Analysis.

Upon request by the City when circumstances warrant, an applicant for Planned Unit or Planned Center Development approval in the CMU Zone shall provide a thorough traffic impact analysis, prepared by a licensed professional engineer with traffic engineering expertise, which shall be reviewed by the City traffic engineer. Cost of the analysis, including all reviews and updates, shall be borne by the applicant.

(b) Community and Economic Impact Analysis.

Upon request by the City when circumstances warrant, an applicant for Planned Unit or Planned Center Development approval in the CMU Zone shall provide a Fiscal Impact Analysis, prepared by an expert acceptable to the City. The purpose of assessing community and economic impact is to evaluate the projected benefits and costs to the public and private sectors of the community from the project, and to prescribe mitigation measures, if needed. Cost of the analysis, including all reviews and updates, shall be borne by the applicant.

When a Fiscal Impact Analysis is requested by the City, the analysis shall include the following, at a minimum:

(1) The estimated net impacts and/or benefits to local employment, wages and salaries, retained profits, land values, property taxes, and sales taxes.

(2) The estimated net impacts of increased local consumer spending.

(3) The projected net costs to the City arising from increased demand for and required improvements to public services and infrastructure.

(4) The value of improvements to public services and infrastructure to be provided by the project.

(5) The impacts projected to occur because of the development.

The developer shall demonstrate the ability to complete the project and to achieve long-term financial stability. Final determination of the appropriateness of a particular building use and size will take into account the net benefits and impacts to the development itself, to the surrounding neighborhoods, and to the community as a whole.

11-19-106 Density and Dimensional Standards

(a) Residential Development

Single family dwelling residential development is not allowed in the CMU zone. Residential development must be at a minimum density of five (5) units per acre, but shall not exceed fourteen (14) units per acre, and should complement and support the primary commercial uses in the CMU zone district.

(b) Non-Residential Development

(1) Maximum Single Tenant Floor Space –

a. The maximum square footage for a single non-residential tenant in a commercial center shall be 80,000 gross square feet.

Front Yard (measured from property line or abutting public street or private street edge): No front yard setback is required on local or important local streets. For yards that front on streets with a functional classification equal to

or greater than Minor Collector, the minimum setback shall be twenty (20) feet for buildings or structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be set back an additional foot for each foot of height over twenty (20) feet. Any building located adjacent to, or across a street from, a residential zone shall have the same front yard setback as that required in the residential zone.

(d) **Side and rear setbacks:** There shall be no minimum setback requirement except where the CMU zone shares a common boundary with a non-commercial zone. In such a case, the minimum side and rear setbacks from property lines shall be twenty (20) feet for buildings and structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be set back an additional foot for each foot of height over twenty (20) feet. If the area of the side or rear setback is used for parking or as a service area, a landscaped strip, not less than 10 feet in width shall be maintained along the property lines. Accessory structures may be located on a side or rear property line if: 1) the structure is located more than ten (10) feet from the primary structure on the lot; 2) the structure has no openings on the side contiguous to the property line, and the wall on that side has a two (2) hour fire retardant rating; and 3) all drainage from the accessory structure is directed onto to lot on which it is located.

(e) **Side Yard Corner:** same as front yard.

(f) **Lot size:** no requirement.

(g) **Lot width:** no requirement.

(h) **Building Height:** Maximum building height shall not exceed fifty-five feet.

11-19-107 Design Standards

The following design standards shall be implemented throughout the Community Mixed Use Zone in order to create a cohesive, attractive appearance that is inviting and pedestrian-friendly, and which encourages travel by foot, bicycling, van pooling, car pooling and public transportation, in addition to traditional automobile transport.

(a) Building design – Structures in the Zone shall incorporate a limited number of architectural styles or motifs, which shall establish an identifiable architectural character for the neighborhood. Building designs, including accessory structures, shall be complementary throughout the Zone in terms of: (i) consistency of roof and siding materials and colors, (ii) similar window and door patterns, and (iii) similar streetscapes including landscaping, light fixtures, and similar site amenities. The height, size, bulk, and arrangement of buildings on a development site should be designed to invite pedestrian circulation and offer an attractive streetscape.

(1) Buildings shall provide a clear visual division between all floors. The top floor of any building shall contain a distinctive finish, consisting of a roof, cornice or other architectural termination.

(2) The façade of every floor greater than 30 lineal feet and visible from a street shall incorporate architectural features designed to provide human scale and visual interest. Compliance can be achieved through balconies, alcoves, arches, columns, porticos, or wall segments that create at least a two foot variation in plane for at least ten (10) lineal feet for each thirty (30) feet of façade visible from a street.

(3) For non-residential development and the non-residential floor of mixed use buildings, at least 75 percent the lineal frontage of any wall visible from a street shall incorporate windows, doors, display windows, or other architectural features described in the preceding subparagraph.

(4) Unless mechanically impractical, flat roofs are prohibited within the Zone. When located on a roof, mechanical equipment shall be screened by roof components, parapets, cornices or other architectural features.

(b) Exterior materials – Exterior materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.

(1) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project application is submitted.

(2) Reflective surfaces shall not be used in locations which may produce excessive reflections or glare that may create a potential safety problem.

(3) Tile, architectural grade asphalt shingles, standing seam metal or similar quality roofing materials shall be used on all visible pitched roofs.

(4) Buildings on pads in commercial developments, including service stations, convenience stores, restaurants, auto maintenance facilities and similar uses shall be designed in a compatible architectural style, and should incorporate the same materials, colors, and landscaping as the primary development.

(c) Building entry – Main building entrances shall be easily identifiable, and form a transition between inside and outside areas. Building entries shall be provided with adequate lighting for security.

(1) Buildings that are open to the public and are within 30 feet of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural design, and shall be open to the public during all business hours.

(2) Wherever practical, buildings shall incorporate arcades, roofs, alcoves, porticos and awnings that protect pedestrians from the rain and sun. In plazas and courtyards lighting shall incorporate fixtures and standards designed for pedestrian areas.

(d) Exterior storage and equipment - There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use except as specifically approved by the Planning Commission in conjunction with a conditional use application.

(1) Trash storage areas, mechanical equipment, transformers, meters and similar devices are not permitted to be visible from the street. Where site constraints would otherwise force these uses into visible locations, they shall be screened by decorative walls, earthen berms, landscaping or architectural treatments capable of screening views from streets and sidewalks.

(2) If in rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices or other architectural features.

(3) All new utility transmission lines shall be placed underground.

(e) Architectural Review - Prior to the issuance of a Building permit for any Conditional or Permitted Use, the Planning Director must review the proposed plans for compliance with the design standards of this Chapter 19. Appeals of staff actions on architectural compliance shall be heard by the Planning Commission.

11-19-108 Pedestrian and Vehicle Circulation

The following site design standards shall apply to all development within the Commercial Mixed Use Zone:

(a) A network of convenient, safe, and raised or textured pedestrian paths and walkways should connect areas within the project, and through the project to adjacent properties.

(b) Public rights of way shall be wide enough to incorporate sidewalks. In non-residential areas sidewalks shall be at least four (4) feet in width, or a parallel sidewalk and bicycle/jogging lane, each four (4) feet in width.

(C) Public seating and bicycle racks may be provided near entrances to non-residential and mixed-use buildings or groups of buildings. Benches should be provided at locations where they are most likely to be used, rather than at regular intervals along the sidewalk; and should be placed together with other street amenities such as light poles, kiosks, waste receptacles, planters, etc. All street amenities should share a common theme in their design that is representative of the development.

(d) Bikeways shall meet standards consistent with the Farmington City Trails and Sidewalk Master Plan. These bike ways shall provide safe and inviting access through development project areas and shall provide continued circulation of trails identified in the Farmington City Master Trail Plan including planned equestrian trails (otherwise equestrian trails or uses are prohibited).

(e) Vehicular traffic aisles within the project should provide a circulation pattern which is convenient and safe. The location and number of vehicle access points to the site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to maximize safety and convenience.

(f) Public art may be provided at key locations in an CMU zone area.

Development adjacent to major streets should incorporate bus pullouts and shelters with dedicated pedestrian access, turn-arounds for transit vehicles, and provision for access by emergency vehicles. Buildings should be oriented toward transit stops.

11-19-109 Landscaping

The following site landscaping standards shall apply to all new development in the Community Mixed Use Zone.

(a) At least twenty percent (20%) of any development site (but not each individual lot) shall be devoted to landscaping, exclusive of required parkstrips and walks (except as otherwise provided in Section 11-19-107(b) and 11-19-108(b)). Wetlands may count toward one-half (1/2) of such landscape requirement. Additional landscaping should be provided where needed to buffer and achieve compatibility between different adjoining uses.

(b) All areas of a developed site not occupied by buildings, required parking, driveways, walkways or service areas shall be landscaped according to an approved landscaping plan. These areas may also incorporate hardscape for patios, plazas and courtyards, which areas shall be credited against the landscape requirement of Section 11-19-108(a).

(c) Street trees shall be provided on all street frontages at a maximum spacing of thirty (30) feet on center. Street trees shall be planted within a landscape strip of at least six (6) feet in width, between the roadway and sidewalk where feasible. Street trees shall be planted no closer than twenty (20) feet to light standards.

(d) Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one (1) tree for each twelve (12) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.

(e) Open space should be an integral part of the development project. Wetlands and vegetated drainage detention sites may be considered open space. The open space within a project should be integral to the site design, not small, leftover pieces of land. Open space may also be used as a buffer between adjacent properties and uses. In mixed-use projects with a multiple family component, common open

space should equal or exceed the ground floor area of all residential structures on site. To preserve an open look, fencing in large projects should be limited to the perimeter of the project, using visually open fencing materials.

(f) Outdoor lighting should provide for the illumination of buildings and grounds for safety purposes, but in an aesthetically pleasing manner. Lighting should be focused downward, and placed and screened to limit the emission of light beyond the development boundaries. A condition to approval of a development may be that certain lighting be extinguished after certain hours.

11-19-110 Parking

Parking shall be provided in accordance with Chapter 32 of this Ordinance. In addition, the following provisions shall apply:

(a) Parking lot design should include a useful pedestrian circulation system, adequate turning radii, and efficient traffic movement pattern, a pleasant appearance, convenient parking locations, efficient drainage, and integration of parking with the character of the site and proposed development.

(b) Surface parking areas should be located behind or at one side of the building. Surface parking may be located between a building and the street, but must be screened from view from the street by landscaping, perimeter buildings, berms, or other screening materials. On-street parking within the public right of way is allowed.

(c) Parking lot lighting shall be down-focused, and designed to avoid direct illumination of adjacent property.

(d) Pedestrian drop-off locations should be incorporated within overall circulation patterns, and should be convenient and safe for pedestrians.

(e) Where feasible, pedestrian walkways shall be incorporated into parking lots of any size. Parking lots with more than one hundred (100) spaces shall be divided by landscaped areas including a walkway at least ten (10) feet in width.

(f) Secure bicycle racks may be provided at likely destination stops to encourage the use of bicycles as a way to access those destinations. Racks shall be designed consistent with standards contained in the Farmington City Trails and Sidewalks Master Plan.

(g) Shared Parking. Developments incorporating a mix of uses generally require fewer parking stalls due to shared patronage of retail stores and varying hours of peak use by office users and retail customers. For mixed-use projects, developers shall provide an analysis of projected parking needs for consideration to justify any reduction in required parking stalls, with a maximum allowed reduction of twenty percent (20%).

11-19-111 Paving

Sidewalks and major crosswalks within the commercial areas of an CMU zone shall incorporate variations in pavement to add interest, help slow traffic and increase safety. Pavements may include stained or textured concrete, colored and/or stamped concrete, brick, stone, or pavers. Other appropriate areas for special paving would include outdoor patio areas and public plazas.

11-19-112 Signage

In an CMU zone, businesses should be identified by an appropriate blend of the six sign types that are permitted hereunder. These include monument, façade mounted, suspended/supported, projecting, awning/canopy, and window signs.

(a) Sign character will be compatible with the character of surrounding neighborhoods.

(b) Wood and similar appearing material, metal, canvas-like materials, and window stencil are the materials of preference. Plastic, lexan and other similar appearing materials will be allowed in limited amounts on individual signs. Repetitive use of signs utilizing pan channel letters is not allowed. No plastic face box signs shall be allowed.

(c) All exterior building signs must present the name of the business for that tenant space and may include the business/company logo. The sign may identify products sold or produced by the business. Brand names and logos shall not be allowed in a sign unless they are specifically part of the name/trade mark of the business in that tenant space.

(d) Address numbers shall be a maximum of six (6) inches in vertical dimension, but may be larger if required by the City. The location of the address sign shall be in close proximity to the main entrance to the business/tenant space.

(e) Sign Lighting

i. Light may be cast directly onto the face of the sign by an external light source. In such instances, the light must be focused on the sign face.

ii. Halo signs are permitted.

iii. Back-lighting through routed letters/copy or through the material that comprises the letters/copy in the sign face is permitted as long as the light source is screened from direct view.

iv. Exposed neon tubing and/or individual light bulbs forming the sign copy shall not be permitted on any sign. Exposed neon signs shall be permitted inside a business/tenant space but shall not be placed within ten (10) feet of the inside surface of the storefront window.

(f) The number of signs permitted per business/tenant space shall be as follows:

i. Highway Orientation – up to 2 of the 6 sign types permitted.
ii. Parking Lot Orientation – up to 2 of the 6 sign types permitted.
iii. Pedestrian Area Orientation – up to 3 of the 6 sign types permitted.

(g) Handwritten and taped signs to storefronts are prohibited.

(h) Individual business temporary event, sale, or promotional signs are permitted for the duration of the sales event not to exceed 30 days per sales event and four (4) times per year or alternatively in conjunction with planned sales events carried out by a retail business through its system of stores. Such signs shall be located in a window display area and shall not exceed fifteen (15) square feet.

(i) Restaurants and food service tenants shall be permitted one (1) freestanding A-frame, sign board, which can be placed on the sidewalk, provided the sign does not interfere with pedestrian movement. The sign shall not exceed two feet in width and three feet in height.

(j) Awnings and canopies are permitted without signs. Once letters and or graphics are attached, it must comply with the provisions of this regulation.

Façade Mounted Signs

(a) Up to two (2) facade mounted signs are permitted per tenant space with a maximum of one per twenty lineal feet of frontage.

(b) Restaurants may have one additional façade mounted menu sign, which shall be a maximum of three square feet in area.

Projecting Signs:

(a) One pedestrian area-oriented projecting sign (shingle) may be attached to a building perpendicular to the façade facing a pedestrian sidewalk.

(b) A projecting sign may extend up to four (4) feet from the façade.

(c) Projecting signs shall not exceed 12 square feet in size.

(d) Projecting signs shall be a minimum of eight (8) feet above any pedestrian walkway.

Suspended or Supported Signs:

(a) One pedestrian area oriented suspended sign or more supported sign may be placed so as to be supported by building canopies of other elements near the

entrance to the business/tenant space.

(b) Signs shall be limited in size to one square foot of sign area for each four (4) lineal feet of business/tenant space frontage, not to exceed twenty-five (25) square feet in size. Letters will not exceed twelve (12) inches in height.

Window Signs:

(a) A window sign may be up to eighteen (18) inches in height and four (4) feet wide.

(b) A window sign may be stenciled on two windows of the façade on which the sign will be located.

(c) Storefront windows and doors shall be limited to a maximum of two square feet of coverage with stickers, credit card decals, hours of operation, etc.

(d) There may be one window sign listing the names of tenants of the second floor commercial space near the entrance to the elevator/stairs to the second floor. This sign shall not exceed six (6) square feet in size.

(e) A second floor tenant may have two (2) stenciled window signs not to exceed six (6) square feet, one with a parking lot orientation and one with a pedestrian area orientation.

Awning/Canopy Signs:

(a) The vertical drip of an awning or canopy may be stenciled with letters that are up to seven (7) inches in vertical dimension by any length. When the vertical drip of an awning exceeds the vertical dimension of the slope, then it may be stenciled with letters that are up to nine (9) inches in height.

(b) The sloped portion of an awning may be stenciled with business logo or graphic representation of nine (9) square feet.

(c) All awning or canopy signs shall be constructed of a canvas-like material or architectural metal. Primary colors and glossy finishes on the fabric are not permitted.

Entry Arch Sign:

(a) An entry arch sign may be permitted for a master-planned project, depending on the character and proximity of existing uses in the vicinity of the CMU zone area.

Directional and Street Name Signs:

(a) Street name identification signs may be provided at key intersections. The street name signs shall be of a design that is compatible with the neighborhood.

11-19-113 Outdoor Lighting

Outdoor lighting will be designed to assure that neighboring properties are protected from direct light sources and where possible to not diminish the night sky.

(a) Light fixtures in parking areas shall be decorative type, not a typical "shoe-box" type fixture. Fixtures shall be mounted on poles not taller than thirty feet having a 100 percent cutoff. The light rays may not be emitted by the installed fixture at angles above the horizontal plane.

(b) Light fixtures along roadways shall match the style of parking lot lights, but not exceed twenty feet in height. Roadway light poles shall have brackets for the mounting of banners and may contain hanging planters with integral drip irrigation.

(c) Building facades may be lighted by wall sconces, recessed soffit lights, landscape up-lights or other sources that are directed away from public view and not diminish the night sky.

(d) Beacon lights are not permitted in the CMU zone, except on a temporary basis as approved by the Planning Commission.

11-19-114 Storm Drainage and Natural Springs.

Storm drainage shall be engineered to City standards and may include detention in parking areas and designated detention ponds. All detention pond areas shall be landscaped with sod and a meandering stream-bed appearance where near continual drainage from natural springs occurs through the detention area.

Natural spring drainage shall be maintained above grade where possible.

11-19-115 Fencing and Retaining Walls

(a) Fencing between primarily residential areas and commercial areas may be constructed up to 72 inches in height. Appropriate materials include Farmington stone, pre-cast molded concrete panels embossed and stained with a stone pattern (both sides of wall), wrought iron, or colored masonry. Solid wood or solid vinyl fencing is not permitted. Fencing should be augmented by a substantial landscape buffer.

(b) Fencing around the perimeter of a master-planned project may be constructed up to 42 inches in height. Appropriate materials would include Farmington stone, rail fencing, or combinations of those materials.

(c) Fencing within multi-family areas within an CMU zone between buildings or along streets is not permitted. Private patio areas may be screened with fencing not to exceed 60 inches in height and not enclosing more than 150 square feet in area. Generous landscaping should be provided around any such enclosures.

(d) Fencing within single-family residential areas within an CMU zone shall be governed by the residential sections of this code.

(e) If necessary within a CMU zone area, retaining walls over 30 inches in height shall be constructed of landscape boulders, stone or concrete faced with stone or cultured stone. Walls should generally not exceed four feet in height unless terraced with a planting area at least three feet wide between tiers.

11-19-116 Project Review and Approval

All projects proposed within the CMU zone shall be reviewed and approved either as a Planned Unit Development pursuant to Chapter 27 of this Zoning Ordinance, or as a Planned Center Development in accordance with the conditional use permit provisions of Chapter 8 of this Zoning Ordinance. For projects proposed to be phased, each individual phase approved must meet all of the standards and criteria of this Zoning Ordinance and the objectives of this Commercial Mixed Use zone. Revisions to approved Planned Unit or Planned Center Development projects must be reviewed and approved as new development applications subject to the applicable regulations then in effect.

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Amended 11-19-106(b), Ord. 2008-35, 7/1/08
Amended 11-19-104, Ord 2014-07 03/04/14